ORDINANCES

OF

THE COMMON COUNCIL OF THE CITY OF PHOENIX

AND

THE COMMISSION OF THE CITY OF PHOENIX

Published by Order of
The Commission of the City of Phoenix
1921

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FOREWORD

This book contains all of the "working" ordinances of the City of Phoenix, both of the Common Council and of The Commission. All ordinances of a formal nature such as ordinances authorizing the making of contracts, the payment of money, etc., made necessary by the provisions of the Charter are excluded as are ordinances adopting plans for the improvement of streets. Grade ordinances are also excluded largely by reason of the fact that where streets have been improved the grades of such streets will be found in the proceedings providing such improvement. All other grades have been incorporated into ordinance No. 552 and can be readily referred to in the office of the City Clerk. Ordinances providing for bond issues have also been excluded for the reason that it will scarcely be necessary to refer to these often and when such a reference is necessary they can readily be found in the records of the City Clerk. Ordinances vacating streets and alleys have also been excluded.

It was the original intention of the compiler to refer to all such ordinances by number and title but to do so would take up probably more space than this publication contains so it was deemed advisable in the interests of economy to change that plan.

James E. Nelson.

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ORDINANCES

CITY OF PHOENIX

CHAPTER 1

PENAL CODE

ORDINANCE NO. 313 Ordinance 313

An Ordinance restricting the placing of guy wires upon telephone, telegraph, electric light and trolley poles within the corporate limits of the City of Phoenix.

The Common Council of Phoenix do ordain as follows:

Section 1. Every guy wire, affixed or attached to any telephone, telegraph, electric light or trolley pole, or any other pole supporting wires carrying electricity, within the corporate limits of the City of Phoenix, shall be at its lowest point at least eight feet from the ground, and if said guy wire crosses any street it shall be at any point crossing said street at least twenty feet from the ground.

Sec. 2. No guy wire shall be connected, attached or affixed to any tree or shrub within the corporate limits of the City of Phoenix if such guy wire be also attached or affixed directly or indirectly to any telegraph, telephone, electric light or trolley pole or any other pole supporting wires carrying electricity.

Sec. 3. Any corporation, person or persons, affixing, connecting, attaching or maintaining any guy wire, within the corporate limits of the City of Phoenix, in violation of the provisions of this Ordinance shall be guilty of a misdemeanor.

Sec. 4. Any guy wire affixed, attached or connected to any pole, tree or shrub, within the corporate limits of the City of Phoenix, in violation of the provisions of this Ordinance, is declared to be a nuisance and shall be subject to summary removal, without notice, by the City Marshal or any other officer of the City of Phoenix.

Sec. 5. It shall be the duty of the City Marshal, Deputy City Marshal and Policemen of the City of Phoenix to remove any and all guy wires, placed, affixed, attached or connected to any pole, tree or shrub, within the corporate limits of the City of Phoenix, in violation of the provisions of this ordinance.

Sec. 6 All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Sec. 7. This Ordinance shall take effect from and after its passage and publication according to law.

Passed by the Common Council of Phoenix on the 4th day of February, 1901.

E. GANZ,
Mayor.

Attest:
T. A. JOBS, City Recorder.

Ordinance 363

ORDINANCE NO. 363.

An Ordinance to prohibit the establishment and operation of brick yards within the City of Phoenix.

The Common Council of Phoenix do ordain as follows:

Section 1. It shall be unlawful for any person, persons, association or corporation to establish and operate any brick yard or kiln within the limits of the City of Phoenix from and after the passage of this Ordinance.

Sec. 2. Any person, association or corporation violating the provisions of Section 1 of this ordinance shall be guilty of a misdemeanor.

Sec. 3. This ordinance shall take effect and be in force from and after its passage and publication according to law.

Passed by the Common Council of Phoenix, this 8th day of April, 1905.

Attest: Acting Mayor.
FRANK THOMAS, City Recorder.

Ordinance 99

ORDINANCE NO. 99.

An Ordinance amending and revising certain of the ordinances of the Common Council of the City of Phoenix and certain of the ordinances of the Commission of the City of Phoenix; defining certain crimes and misdemeanors against the peace, health and safety of the said City of Phoenix and providing punishment therefor; providing a Penal Code for the City of Phoenix and repealing certain ordinances of the Common Council of the City of Phoenix and of the Commission of the City of Phoenix.

Be it ordained by the Commission of the City of Phoenix as follows:

CHAPTER I.

OFFENSES AGAINST THE PUBLIC PEACE.

Section 1. Every person who keeps any disorderly house, or any house or place of general or public resort by which the peace, comfort or decency of the immediate neighborhood is habitually disturbed, or who keeps any inn, hotel, rooming or lodging house in a disorderly manner, shall be guilty of a misdemeanor.

Section 2. Any person who shall, purposely or carelessly, discharge any gun, pistol or other firearm in any saloon, dance house, store or other public house or business house in the City, thereby endangering the life or person of another, or thereby disturbing any of the inmates thereof, or who shall thereby injure, destroy or damage any property therein, or who shall discharge the same within the corporate limits of the City of Phoenix, except in necessary self-defense, or upon obtaining permission from the City Manager therefor, upon good cause shown, shall be guilty of a misdemeanor and fined in any sum not exceeding three hundred dollars or imprisoned in the City Jail for a period not exceeding six months or by both such fine and imprisonment.

Section 3. (1) It shall be unlawful for any person, firm, association or corporation to sell or give away or to have in his, their or its possession for the purpose of sale or giving away, or to display for sale or gift any brass or other knuckles of metal, slungshot, billy or black jack.

It shall be unlawful for any person, except a policeman or peace officer in actual service and discharge of his duty, to have or carry concealed on or about his person, any pistol or other firearm, dirk, dagger, slung-shot, sword-cane, spear, brass knuckles, or other knuckles of metal, bowie-knife, or any kind of knife or weapon, except a pocket knife not manufactured and used for the purpose of offense and defense.

(2) Any person violating any of the provisions of this section shall be guilty of a misdemeanor and may be arrested with or without a warrant, either in the day time or in the night time, and any peace officer who shall fail, neglect or refuse to arrest any such person on his own knowledge of the violation of said section, shall be guilty of a misdemeanor.

Any person found guilty of violating any of the provisions of this section shall be punished by a fine of not less than twenty nor more than three hundred dollars or

imprisonment in the City Jail for a period of not less than ten nor more than thirty days or by both such fine and imprisonment.

Sec. 4. Every person who, not in necessary self defense, in the presence of any other person, draws or exhibits any deadly weapon in a rude, angry or threatening manner, or who in any manner unlawfully uses the same, is guilty of a misdemeanor.

Sec. 5. Every person who, without authority of law, wilfully disturbs or breaks up, or attempts to break up, any assembly or meeting not unlawful in its character, is guilty of a misdemeanor.

Sec. 6. Every person who maliciously and wilfully disturbs the peace or quiet of any neighborhood, family or person by loud or unusual noise, or by tumultous or offensive conduct, or by threatening, traducing, quarreling, challenging to fight or fighting, or who applies any violent or abusive or obscene epithets to another, is guilty of a misdemeanor and is punishable by a fine not exceeding two hundred dollars or by imprisonment in the City Jail for a period not to exceed two months or by both such fine and imprisonment.

Every person who wilfully disturbs or disquiets any assemblage of people met for religious worship, by noise, profane discourse, rude or indecent behavior, or by any unnecessary noise, either within the place where such meeting is held, or so near it as to disturb the order and solemnity of the meeting, is guilty of a misdemeanor.

Sec. 7. Any person assisting or attempting to assist any prisoner confined in the City Jail by sentence or order of the City Court or other legally constituted tribunal to escape therefrom, or rescuing or attempting to rescue any person lawfully in the custody of any peace officer is guilty of a misdemeanor.

Sec. 7½. An assault is an unlawful attempt coupled with a present ability to commit a violent injury upon the person of another.

A battery is any wilful and unlawful force of violence upon the person of another.

An assault and battery may be committed by the use of any part of the body of the person committing the offense, as of the hand, foot, head, or by the use of any inanimate object, capable of inflicting the slightest injury, or by the use of any animate object, as by throwing or violently pushing one person against another, or driving

a horse or other animal, automobile, bicycle, or motorbicycle against a person.

Sec. 8. Any person who commits an assault upon the person of another is guilty of a misdemeanor.

Sec. 9. Any person who commits a battery upon the person of another is guilty of a misdemeanor.

Sec. 10. Any person who commits an assault and battery upon the person of another is guilty of a misdemeanor.

Sec. 11. Any means used by the person assaulting, as by spitting in the face or otherwise, which is capable of inflicting any injury, comes within the definition of an assault or a battery as the case may be. Ordinance 241

Sec. 12. Violence used to the person does not amount to assault or battery in the following cases:

In the exercise of the right of moderate restraint or correction given by law to the parent over the child, the guardian over the ward, the teacher over the scholar.

For the preservation of order in a meeting for religious, political or other lawful purposes.

The preservation of the peace, or to prevent the commission of an offense.

In preventing or interrupting an intrusion upon the lawful possession of property.

In making lawful arrest and detaining the party arrested when authorized by law, or in obedience to the lawful order of a magistrate or court, and in overcoming resistance to such lawful order.

In self-defense, or in defense of another against unlawful violence offered to his person or property.

Sec. 13. In all cases mentioned in the preceding section, where violence is permitted to effect a lawful purpose, only that degree of force must be used which is necessary to effect such purpose.

Sec. 14. Every person who wilfully administers any poison to any dog, poultry, live stock or other animals the property of another, or maliciously exposes any poisonous substance, with the intent that the same shall be taken or swallowed by any dog, poultry, live stock or other animals not owned by him is guilty of a misdemeanor and is punishable by a fine of not less than five dollars nor more than fifty dollars, or imprisonment in the City Jail for not less than ten days nor more than thirty days or by both such fine and imprisonment.

Sec. 15. All persons who are idle and dissolute, and

who go about begging; all persons without visible means of living who have the physical ability to work, and who have not for the space of ten days sought employment or labored when employment was offered them; all persons who use any juggling or other unlawful games or plays; runaways; pilferers; confidence men; common drunkards; common night-walkers; prostitutes; gamblers; lewd; wanton and lascivious persons, in speech or behavior; common railers and brawlers; persons who are habitually neglectful of their employment or calling and who do not lawfully provide for themselves or for the support of their families; all persons who are idle or dissolute and who neglect all lawful business and who habitually mis-spend their time by frequenting houses of ill-fame, gaming houses or other places of unlawful assembly or entertainment; all persons lodging in, or found in the night time in outhouses, sheds, barns, railroad cars, vacant buildings or sleeping in vacant lots and not being able to give a good account of themselves; all persons known to be, or who are associates of, thieves, pickpockets, burglars, prostitutes or gamblers, either by their own confession or otherwise, shall be deemed to be, and they are hereby declared to be vagrants.

Any persons found guilty under any of the provisions of Section 1 of this Ordinance shall be deemed guilty of misdemeanor and shall be punished by a fine not to exceed three hundred dollars or by imprisonment in the City Jail for a period not to exceed one hundred and eighty days or by both such fine and imprisonment.

Sec. 16. Every person having upon him or in his possession any pick lock, crow, key, bit, or other instrument or tool, with intent feloniously to break or enter into any building, or who shall knowingly make or alter, or shall attempt to make or alter, any key or other instrument above named, so that the same will fit or open the lock of a building, without being requested so to do by some person having the right to open the same, or who shall make, alter or repair any instrument or thing, knowing or having reason to believe that it is intended to be used in committing the misdemeanor or felony is guilty of a misdemeanor.

The possession of, on the person, of the above named tools or instruments, without the possessor thereof being able to give a satisfactory account of his possession of the same shall be prima facie evidence of the possession thereof for an unlawful purpose.

Sec. 17. Any person who shall knowingly or wilfully obstruct, resist or oppose any policeman or other officer of the City of Phoenix, authorized to make arrests, in serving or attempting to serve any lawful process or order of the City Magistrate or of any court of said City, or in the performance of any official duty, or shall assault or beat any such officer or person duly authorized, when serving or executing, or attempting to serve or execute, any order or process of official duty as aforesaid, or because of having served or executed, or attempted to serve or execute the same, shall be guilty of a misdemeanor.

Sec. 18. Any person or persons escaping or attempting to escape from the City Jail shall be guilty of a misdemeanor.

Sec. 19. It shall be unlawful for the Chief of Police, or any police officer or other officer having in charge or custody any person duly and regularly sentenced and committed by the City Magistrate to confinement in the City Jail, at any time previous to serving of the full term of any such sentence, unless required or authorized by competent legal authority so to do, to release, discharge or liberate, or permit to be released, discharged or liberated any person so sentenced until such person shall have served the full term of his sentence or paid into the City Court, in case of an alternative fine, the amount of fine imposed by the City Magistrate.

Any officer violating the terms of this section shall be deemed guilty of a misdemeanor.

Sec. 20. It shall be unlawful for any person or persons upon any day of celebration, carnival, holiday or upon any other day or time, to throw, discharge or cause to be thrown or discharged upon or against the person of any individual, within the limits of the City of Phoenix, any bomb, firecracker, flour, sand or any other substance or material whatever.

Sec. 21. It shall be unlawful for any person or persons to loaf, loiter or congregate upon any of the sidewalks in the City of Phoenix so as to obstruct the use of the sidewalks to pedestrians.

CHAPTER II.

OFFENSES AGAINST PUBLIC MORALS.

Sec. 22. Every person who wilfully and lewdly either:

(1) Exposes his person or the private parts thereof in any public place, or in any place where there are present other persons to be offended or annoyed thereby; or,

(2) Procures, counsels or assists any person to expose himself, or to take part in or make any exhibition of himself to public view, or to the view of any number of persons, such as is offensive to decency, or is adapted to excite vicious or lewd thoughts or acts; or,

(3) Sings any lewd or obscene song, ballad or other words, in any public place, or in any place where there are persons present to be annoyed thereby, shall be guilty of a misdemeanor.

Sec. 23. It shall be unlawful for any person to expose, sell, give away or offer to sell or give away, or to have in his possession for such purpose or purposes, any indecent, lewd, obscene book, picture, paper or thing.

Any person violating the provisions of the two preceding sections shall be guilty of a misdemeanor.

Sec. 24. Any person who, in the presence or hearing of any woman or child, in any place within the City of Phoenix, shall use vulgar or obscene language, or who shall use vile or abusive epithets of or to any other person in the presence of any woman or child shall be guilty of a misdemeanor and is punishable by a fine of not less than five dollars and not more than fifty dollars, or by imprisonment in the City Jail for a period not to exceed two months.

Sec. 25. Any person exhibiting or performing, or taking any part in the exhibition or performance of any indecent, lewd or immoral play or presentation shall be guilty of a misdemeanor.

Sec. 26. Every person who maliciously kills, maims or wounds any animal the property of another, or who overdrives, overloads, drives when overloaded, overworks, tortures, deprives of necessary sustenance, drink or shelter, cruelly beats, mutilates, or cruelly kills any animal or causes or procures any animal to be so overdriven, overloaded, tormented, deprived of necessary sustenance, drink or shelter, or to be cruelly beaten, mutilated or cruelly killed; and whenever, having charge or custody of any animal, either as owner or otherwise, subjects any animal to needless suffering, or inflicts unnecessary cruelty upon the same, or in any manner abuses any animal, or fails to provide the same with proper food, drink, shelter or protection from the weather, or who cruelly rides, drives or otherwise uses the same when unfit for labor, for every such offense, shall be guilty of a misdemeanor.

Sec. 27. Any person who appears in any public place in the City of Phoenix in a disorderly condition or lies

or sleeps on any street, sidewalk, alley or other public place in the said city in a drunken or disorderly condition, shall be guilty of a misdemeanor.

Sec. 28. Every person who opens or maintains, to be resorted to by other persons, any place where opium or any of its preparations are sold or given away, to be smoked at such place and any person who at such place sells or gives away any opium or any of its preparations, to be there smoked or otherwise used, and every person who visits or resorts to any such place for the purpose of smoking opium, or any of its preparations, shall be guilty of a misdemeanor.

Sec. 29. Any person renting, leasing or using any house, room, apartment, or other place as a resort for the purpose of indulging in the use of opium, or preparation containing opium, or being the owner or person in charge or control of such house, room, or apartment knowingly suffers it to be used for such purpose, or any person having in his possession or exhibiting any box, pipe, cup, thing, or apparatus used in the smoking, eating, or inhaling of opium or any of its derivatives, or any person acting as a lookout or tender at any place where such use of opium or its derivatives is practiced, or carried on, shall be guilty of a misdemeanor. Ordinance 138

Sec. 30. It shall be the duty of the Chief of Police and of all policemen to seize and keep all cups, pipes, apparatus, boxes and things used for the purpose of eating, smoking or inhaling opium or any preparation thereof, in any such place, and produce the same in court in any case in which such articles shall or may be required in evidence.

Sec. 31. Any prostitute, or other person soliciting for a prostitute or for a place of prostitution, or any male person who is an habitue of a place of prostitution, or who shall solicit persons to visit or patronize a prostitute or place of prostitution or who makes such solicitation upon the streets or in any public place in the City of Phoenix, shall be guilty of a misdemeanor.

Sec. 32. Any prostitute, pimp, panderer or habitue of a place of prostitution or any person who solicits for a place of prostitution, who loiters or continues in or about any public place within the corporate limits of the City of Phoenix, shall be guilty of a misdemeanor.

Sec. 33. Any prostitute who shall make any public display of herself upon the streets of the city, or in any public place, or make any signs, or use any language or

do anything in any manner whereby her calling may be advertised or made known, or call attention to herself by loud or boisterous talk or otherwise upon the streets or in any public place within the city, or who visits or loiters in or about any billiard room or public place or gathering within the city shall be deemed guilty of a misdemeanor for such and every act herein specified.

Sec. 34. Common reputation for unchastity or prostitution and a common reputation of being a pimp, panderer or habitue attending upon or soliciting for prostitution, shall be prima facie evidence of the guilt of any such person who may be arrested under the provisions of the three preceding sections.

Sec. 35. Every person who keeps any disorderly place or any place of ill fame for the purposes of assignation or prostitution, or any place of public resort by which the peace, comfort or decency of the immediate neighborhood is habitually disturbed, shall be guilty of a misdemeanor.

Sec. 36. Any person who is an inmate of any disorderly place or place of ill fame, for the purpose of prostitution, fornication or adultery, shall be guilty of a misdemeanor.

Sec. 37. Any person frequenting, loitering in or continuing in any place of ill fame, bawdy house or place of prostitution shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not less than ten dollars nor more than one hundred dollars or by imprisonment in the City Jail for not more than one hundred days or by both such fine and imprisonment.

Sec. 38. It shall be unlawful for the owner or person having charge or control of any house, building, apartment, room or premises to rent or lease any such house, building, apartment, room or premises to any person or persons to be used as a place of prostitution or to knowingly suffer or permit any such house, building, apartment, room or premises to be used for prostitution or for immoral purposes or practices, and any such owner or person violating any of the provisions of this section shall be guilty of a misdemeanor.

The owner or person having charge or control of any house, building, apartment, room or premises shall be and is hereby authorized to summarily remove and eject from such house, building, apartment, room or premises, any tenant, subtenant, lessee or sublessee or any person or persons who may or shall commit any act of prostitu-

tion, or any immoral act or practice, or who shall knowingly suffer or permit to be committed any act of prostitution or any immoral act or practice in or about such house, building, apartment, room or premises.

Sec. 39. It shall be unlawful for any person owning, controlling or in charge of any house of chance, or any gambling devices or appliances to suffer or permit any minors to play at or patronize the same, and

Any person violating any of the provisions of this section shall be guilty of a misdemeanor and shall be punishable by a fine of not less than five nor more than twenty dollars for each offense.

Sec. 40. Any person who commits any grossly indecent act in any open or public place within the limits of the City of Phoenix in the presence of any other person which openly outrages decency and is injurious to or tends to corrupt public morals, shall be guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not less than twenty-five dollars and not more than one hundred dollars. A public place within the meaning of this section is a place commonly frequented by any considerable number of persons.

Sec. 41. (1) It shall be unlawful for any proprietor, keeper, clerk, or other person having charge, management or control, permanently, temporarily, or at all, of any pool or billiard hall or room or other place of business within the corporate limits of the City of Phoenix where pool or billiards are played, to permit or suffer any minor under the age of eighteen years to frequent or loiter or be in any pool or billiard hall or room or other place of business where pool or billiards are played, over which he shall be in charge, management or control, permanently, temporarily or at all, within the corporate limits of the City of Phoenix.

(2) It shall be unlawful for any minor under the age of eighteen years, except in the presence of his parent or guardian, to play or engage in any game of pool or billiards or to frequent, hang around or be in any pool or billiard hall or other place of business where pool or billiards are played within the corporate limits of the City of Phoenix.

(3) Any person violating any of the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than fifty dollars or by imprisonment in the City Jail for a period of not more than fifty days or by both such fine and imprisonment.

Ordinance 139

Sec. 42. It shall be unlawful for the proprietor, keeper, clerk, or other person having charge of any bowling alley, skating rink, pool or billiard room, to keep open or permit to be kept open any such bowling alley, skating rink, pool or billiard room between the hours of 12 o'clock at night and 6 o'clock the following morning.

Any person violating any of the provisions of this section shall be fined in the sum of not more than $50.00 or by imprisonment in the City Jail for a period not more than 50 days, or by both such fine and imprisonment.

Ordinance 512

Sec. 43. Every person who shall deal, carry on, or open or cause to be opened, or who shall conduct, either as owner or proprietor, or employee, whether for hire or not, any game of faro, monte, roulette, lasquinet, rouge et noir, vingt-un or twenty-one, poker, stud-poker, draw-poker, bluff, fan tan, thaw, seven and one-half, chuck-a-luck, black-jack, panginki, craps, or any similar game whatsoever, played with cards, dice or any other device, and every slot machine, punch-board or machine of like character, whether the same be played for money, checks or credits or other representatives of value, and any person who shall participate in any of the above enumerated or other games, dealt, carried on, opened or caused to be opened by any other person, shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not more than three hundred dollars or by imprisonment in the City Jail for a period of not more than six months, or by both such fine and imprisonment.

Provided, however, that nothing herein shall be construed to apply to or prohibit the use of candy boards and the twenty-six game when such games are used for the purpose of playing for candy or cigars only, and provided further that it shall be unlawful for dealers on candy or cigars to purchase back any of such merchandise from any person winning the same.

Ordinance 253

(2) Every proprietor, owner, lessee, part owner, manager, or any person having the management or control, either temporary or permanent, of any house, building or resort, shall permit any of the games enumerated in the preceding section of any game similar thereto to be played in such houses, building or resort, he shall be guilty of a misdemeanor, and, upon conviction, shall be punished in a manner in the preceding section provided.

(3) Every person who shall deal, carry on or open, or cause to be opened, or who shall conduct, or who shall participate in, either as owner, proprietor, employee or

participant, whether for hire or not, any banking or percentage game whatsoever, played with cards, dice or any device, or by the aid of any device, whether the same be played for money, checks or credits, or any other representative of value, or in which markers are used, or in which anything of value changes hands, shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not more than three hundred dollars or by imprisonment in the City Jail for a period not to exceed six months or by both such fine or imprisonment.

Sec. 44. Every person who lives in a state of open and notorious cohabitation or adultery shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not more than three hundred dollars, or by imprisonment in the City Jail for a period of not more than six months, or by both such fine and imprisonment.

Sec. 45. Each person, firm, association or corporation, owning, operating or controlling, or having charge of, any theater, concert hall, or place wherein is held, had or shown any act, performance, exhibition, amusement or attraction, shall at all times keep, maintain, conduct and operate the same in such a manner as not to endanger the peace, health, morals or safety of the City or its inhabitants. And no such person, firm, association or corporation shall cause, suffer or permit the appearance or exhibition in or upon any such theater, concert hall, or place, of any person or persons in a state of nudity, or in any indecent dress or costume, or any indecent exposure of person or persons, or cause, suffer or permit any obscene, lewd or indecent act, exhibition or language therein, or cause, suffer or permit any indecent, obscene or lewd picture, writing or book to be exhibited, sold or offered for sale therein, or cause, suffer or permit any act, attraction, amusement or language therein which shall in anywise tend to excite race hatred or prejudice, or to disturb or endanger the peace, health, morals or safety of the city, or of the inhabitants thereof.

The Mayor, the City Commissioners, the City Manager and City Chief of Police are hereby constituted a Board of Censors, and are hereby authorized and empowered to enter any and all such theaters, concert halls and places, and to attend, witness, visit and investigate any and all of the performances, exhibitions, amusements and attractions therein and thereon; and to require such person, firm, association or corporation, owning, maintaining, operating, conducting, controlling or in charge of such

theater, concert hall or place, to forthwith cease, end and put a stop to any act, show, performance, exhibition, amusement or attraction which the said Board of Censors, or a majority thereof shall deem to be indecent, obscene, lewd, suggestive or of an immoral character or tendency or as tending to excite or promote race hatred or prejudice, or as tending to interfere with or endanger the peace, health, morals or safety of the city or of any of the inhabitants thereof.

Each person, firm, association or corporation, owning, operating, controlling, managing, conducting, or in charge of any such theater, concert hall or place, who shall cause, suffer or permit the appearance or exhibition therein of any lewd, obscene or indecent act, show, performance, attraction, exhibition or language, or who shall cause, suffer or permit any indecent, obscene or lewd picture, writing or book to be exhibited, sold or offered for sale therein or who shall cause, suffer or permit any act, show, exhibition, attraction or amusement therein, which may or shall tend to excite or promote race hatred or prejudice, or who shall cause, suffer or permit therein or thereon any act, show, exhibition, attraction or amusement, which may or shall tend to interfere with or endanger the peace, health, morals or safety of the city, or of any of the inhabitants thereof, or who shall fail, neglect or refuse to forthwith cease, end and put a stop to any such act, show, exhibition, attraction or amusement which the Board of Censors, or a majority thereof, shall order to be discontinued, ended, or put a stop to, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than one hundred dollars or by imprisonment in the City Jail for not more than one hundred days or by both such fine and imprisonment; and in addition thereto, the license of such person, firm, association or corporation may be revoked by the City Commission.

CHAPTER III.

OFFENSES AGAINST THE PUBLIC HEALTH AND SAFETY.

Sec. 46. It is hereby declared a nuisance, and it shall be unlawful for any person to bury the body of a human being within the corporate limits of the City of Phoenix.

Any person who shall violate the provisions of this section shall be guilty of a misdemeanor.

Sec. 47. Any person or persons depositing upon the

streets, alleys or upon any vacant lot in the City of Phoenix any refuse, filth, garbage or debris of any kind or nature, except at such times and places and under such regulations as the Commission may from time to time adopt, shall be guilty of a misdemeanor.

Sec. 48. Any person who shall at any time sprinkle, pour, throw or place, or cause to be sprinkled, poured, thrown or placed, any filthy or offensive water, fluid, liquid matter or thing, in or upon any street, ditch, lane, court, square, alley or vacant lot within the corporate limits of the City of Phoenix shall be guilty of a misdemeanor.

Sec. 49. It shall be unlawful for any person to sweep the dust, dirt, accumulations, refuse or deposits from any building onto or upon any public sidewalk in the City of Phoenix, but the same at the time of sweeping shall be gathered up and deposited into some suitable receptacle approved by the City Manager.

Sec. 50. It shall be unlawful for any person to sweep dust, dirt, accumulations, refuse or deposits on any public sidewalk onto, in or upon any street or gutter of any street within the corporate limits of the City of Phoenix.

Sec. 51. Any person violating the provisions of Section Fifty-two or Fifty-three shall be guilty of a misdemeanor and upon conviction thereof fined in a sum not more than fifty dollars or by imprisonment in the City Jail for not more than fifty days or by both such fine and imprisonment.

Sec. 52. It shall be unlawful for any person to sweep, scrub or flush the dust, dirt or refuse on, upon, over, off or from any public sidewalk in the City of Phoenix within the business section thereof, or to throw or place thereon, or move or remove therefrom, any dust, dirt, or refuse between the hours of 7:30 a. m. and 9:30 p. m., or to do or perform any act or thing thereon or therewith during any hours whatsoever which shall affect or menace the health or safety or interfere with the safety, convenience or comfort of the public generally or of any person or persons.

For the purposes of this section the business section of the city is fixed and determined to be that portion of the City of Phoenix bounded and defined on the north by the center line of Van Buren street, on the east by the center line of Fourth street, on the south by the center line of Madison street, on the west by the center line of Fourth avenue.

Any person violating the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine in a sum not more than fifty dollars, or by imprisonment for not more than fifty days, or by both such fine and imprisonment.

Sec. 53. It shall be unlawful to pollute or cause to be polluted any of the irrigation ditches of the city by washing in or about the same, or to throw therein any earth or filthy matter, or to wash any horse or other animal therein; or to run or drain or throw therein any sewage, kitchen slops, waste or refuse matter or anything injurious to health or offensive to the sense; or to bathe or wash clothes therein.

Any person violating any of the provisions of this section shall be guilty of a misdemeanor.

Sec. 54. It shall be unlawful for any person to spit or expectorate upon any of the public sidewalks or cross walks in the City of Phoenix or upon any public path, by-way or highway or in or on any public ground or park in the City of Phoenix, or upon the floor or interior of any street railway car or other public conveyance or of any public building in the City of Phoenix.

Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than five dollars, or by imprisonment in the City Jail for a period of not more than five days, or by both such fine and imprisonment.

Sec. 55. (1) It shall be unlawful for any person, firm or corporation to remove, or cause to be removed or hauled, any garbage, rubbish or swill on or along any public street, avenue or alley in the City of Phoenix, without first obtaining a written permit so to do from the City Health Officer. The said City Health Officer shall grant permits to applicants therefor only on condition that the provisions of the Ordinances of the City of Phoenix relating to the removal of garbage, rubbish or swill be strictly complied with in every particular. Said permits shall be numbered consecutively. Any permit so granted shall be revoked by the City Health Officer if it shall appear to said officer that the party holding the same, or any of his agents or employes, has violated the provisions of the Ordinances of the City of Phoenix relating to the removal of garbage, rubbish or swill.

(2) It shall be unlawful for any person, firm or corporation to remove or haul, or cause to be removed or

hauled, on or along any public street, avenue or alley in the said city, any garbage or swill unless the same is contained in strong watertight wagons, carts, barrels, galvanized iron or tin receptacles, so constructed as to prevent any such garbage or swill from falling, leaking or spilling therefrom, and any odor escaping therefrom, and said wagons, carts, galvanized iron or tin receptacles shall be constructed and maintained in the manner provided by the City Health Officer.

(3) It shall be unlawful for any person, firm or corporation to remove, haul, or cause to be removed or hauled, on or along any public street, avenue or alley in the city, any rubbish, unless the same is contained in strong, tight wagons, carts, barrels or receptacles so constructed as to prevent any such rubbish from falling therefrom, and such wagons, carts, barrels or other receptacles shall be constructed and maintained in the manner prescribed by the City Health Officer.

(4) It shall be the duty of every person, firm or corporation removing or hauling any garbage, rubbish or swill to replace immediately in such wagon or cart, barrel or other receptacle, any such material as may have fallen therefrom in or upon any street, avenue or premises.

(5) It shall be unlawful for any person, firm or corporation to dump or deposit, or cause to be dumped or deposited, upon any street or premises in the city, any garbage, swill, rubbish or other matter of a like nature, or any refuse of any kind whatsoever.

(6) Garbage shall be divided for the purposes of this Ordinance into two classes, as follows: Ordinance 179

Class 1. Shall mean and be taken to be all liquid refuse from kitchens, factories and other places where meats, fish, fruits or other vegetables are prepared for food; all decayed or unsound fruit or vegetables and all animal and vegetable kitchen refuse, and all organic household waste that shall have been prepared for, or intended to be used as food, or shall have resulted from the preparation of food.

Class 2. Shall mean and be taken to be all ashes, bottles, tin cans, waste paper and all such other things of a similar nature as comprise the daily accumulation from residences alone.

(7) It shall be the duty of every resident, householder, tenant, hotel keeper, boarding house keeper, restaurant keeper and all parties or persons occupying dwellings within the City of Phoenix, to provide, or cause to be

provided, and at all times to keep, or cause to be kept, for the disposal of Class 1 garbage, portable vessels, tanks or receptacles for holding garbage; such vessels, tanks, or receptacles shall be of metal and water-tight, of a capacity of not less than one (1) gallon, nor more than sixteen (16) gallons, and shall be provided with a handle or handles on the outside, and a tightly fitting cover, which such cover shall not be removed except when absolutely necessary; such vessels, tanks or receptacles shall be kept placed as follows:

Where there is an alley in the rear of the premises, the vessels, tanks or receptacles shall be placed on the premises within five feet of the rear of the property line.

Where there is a side entrance, but no alley, the vessels, tanks or receptacles shall be placed on the premises at a point between fifty feet and seventy-five feet back from the front property line.

Where there is neither alley nor side entrance, the vessels, tanks or receptacles shall be placed on the curb in front of the premises. And each resident, householder, tenant, hotel keeper, boarding house keeper, restaurant keeper and all parties or persons occupying dwellings within the City of Phoenix shall, in addition to the receptacles in this section provided for, provide a receptacle for holding Class II garbage, which receptacle shall be placed on the property in the manner as provided for the placing of the Class I garbage, but shall be of a portable character and of not more than eight (8) cubic feet capacity.

(8) It shall be unlawful for any resident, householder, tenant, hotel keeper, restaurant keeper, boarding house keeper, or any parties or persons occupying dwellings within the City of Phoenix, to procure or permit or cause any person other than the City Garbage Contractor and his employees to remove any garbage from his premises; and it shall be unlawful for any person other than said contractor and his employees to remove or cause to be removed any garbage from any premises within the City of Phoenix.

(9) No garbage shall be hauled or removed from any place within the Business District of the City of Phoenix except between the hours of 7 p. m. and 6 a. m. of the following day.

(10) Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not to exceed ten ($10.00) dollars, or by imprisonment

in the City Jail for a period of not to exceed ten (10) days, or by both such fine and imprisonment.

Sec. 56. (1) No owner, tenant or occupant of any premises within the City of Phoenix shall hereafter erect or construct thereon any barn, stable or corral within the City of Phoenix, whether public or private, within twenty feet of any bedroom or room or place used for sleeping purposes, or of any door or window of any dining room, lunch counter or lunch room within the City of Phoenix unless and until the said premises so used for the keeping of such animals and live stock shall be securely screened and shut off from the view of such bedroom, lunch counter or lunch room by a solid and substantial wall of sufficient height and thickness to prevent persons using such bedroom, dining room, lunch counter or lunch room from being annoyed by the view of or odor arising from such premises as occupied and used for the keeping of such animals and live stock.

(2) It shall be the duty of every person owning, controlling, operating and having in charge any public or private corral, stable, barn or place where horses, mules, asses, cattle, sheep, goats, swine, poultry or other live stock are kept, to have and maintain at all times upon the premises in or adjacent to such corral, stable, barn or place a receptacle of sufficient dimensions, which shall be fly tight, for the purpose of containing the droppings of manure from such stock, which said receptacle shall have a top or lid so arranged and maintained as to be fly tight and exclude therefrom all flies; and such owner, tenant or occupant shall promptly deposit therein all droppings from such stock, and shall keep the lid thereof closed (except when necessarily open for the purpose of depositing thereon or removing therefrom) in such manner as to prevent the ingress and egress of flies thereto and therefrom, and every such owner, tenant or occupant within the City of Phoenix shall cause the contents of such receptacles to be removed from the premises at least once a week, and oftener if required by the City Health Officer; and no such manure shall be transported over or along any public street or way within the City of Phoenix except in a tight vehicle, which, if not closed, must be covered with canvas or other suitable material, so as to prevent the falling of the manure therefrom and the access of flies thereto.

(3) No owner, tenant or occupant of any premises within the City of Phoenix shall suffer, permit or have upon such premises any privy, cesspool, vault, pit or like

place, animal manure, garbage, trash, litter, rags, or other thing in which flies may breed or multiply, unless the same shall be protected as to prevent the attraction, breeding and multiplying of flies.

(4) Every owner, tenant or occupant of any premises within the City of Phoenix in or upon which are kept any horses, mules, asses, cattle, sheep, goats, swine, poultry or other livestock or in or upon which there is any privy, vault, cesspool, or place which is or may become noxious or offensive to the senses, shall at all times keep and maintain such premises so covered, inclosed, protected, cleaned, drained and disinfected that no offensive or noxious gases or odors may or shall arise therefrom, and any such premises which are not at all times kept and maintained so covered, closed, protected, cleaned, drained and disinfected as to prevent any and all offensive and noxious gases and odors arising therefrom, or which are allowed or suffered to become a breeding place for flies and insects, or to become offensive or obnoxious to the residents in the immediate neighborhood, are hereby declared to be nuisances and subject to summary abatement, and in addition to such abatement, the person or persons in charge or control thereof, or responsible therefor, shall be guilty of a misdemeanor and punishable as hereafter provided.

(5) For the purpose and within the meaning of this section, a public corral shall be, and is hereby defined, as any inclosure, corral, lot or place, other than a stable, where horses, mules, asses, cattle, sheep, goats, swine, poultry or other live stock are kept or maintained for hire or compensation or are offered for rent or sale to the public, and the word "stable" shall be and is hereby defined as any building or portion thereof used for the housing of any horses, mules, asses, cattle, sheep, goats, swine, poultry or other live stock.

(6) Any person, firm, association or corporation occupying, owning, controlling or having in charge any premises within the City which are used or occupied for the raising of a garden, grass, flowers, trees and shrubbery may use therein or thereon animal manure and other fertilizer, provided, that no more than two loads of animal manure or fertilizer shall be piled or stored within fifty feet of any house or place used for a dwelling, or of any dining room, lunch room or lunch counter, and that the same when so used or piled shall be safeguarded against the breeding and multiplication of flies therein.

(7) Each person, firm, association or corporation that shall violate or fail to comply with the provisions of

this section shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than fifty dollars for each offense, and each day or portion thereof during which such violation or failure continues shall be deemed, and is hereby declared to be a separate offense.

Sec. 57. All cesspools, open vaults and privies within the City of Phoenix are hereby declared a nuisance, and subject to summary abatement, and each person, firm, association or corporation owning any lot, grounds or premises, within the limits of the City of Phoenix, upon which there are any cesspools, open vaults or privies, is hereby required to forthwith remove, fill up and abate the same, except in such cases where the City Health Officer for good cause shown shall grant temporary permission to maintain and use the same.

(a) Each person, firm, association or corporation owning any lot, ground or premises within the City of Phoenix, upon which there now are or hereafter may be placed or installed any toilet, lavatory, urinal, water closet, sink, wash basin, wash tub or other like place or thing, shall forthwith connect, or cause to be connected the same with the City Sewer, and shall at all times keep and maintain the same clean and in a good sanitary condition, and in a good condition and state of repair, and not allow, suffer or permit the same to become foul, clogged or unsanitary.

(b) Should any owner of any lot, grounds or premises within the city fail, neglect or refuse to forthwith remove, fill up and abate any cesspool, open vault or privy, or fail to connect any such toilet, lavatory, urinal, water closet, sink, wash basin, wash tub or other like place or thing, as in this section provided, with the City sewer, or fail to keep such toilet, lavatory, urinal, watercloset, sink, wash basin, wash tub or other like place or thing, clean, sanitary, and in a good state and condition of repair, and in good working order, then the City Manager is hereby authorized, empowered and directed to cause to be filled up, removed and abated, such cesspool, open vault or privy, and to close such toilet, lavatory, urinal, water closet, sink, wash basin, wash tub or other like place and thing to be cleaned, flushed and placed in a good state and condition of repair and operation; and the City Manager is hereby further directed to thereupon forthwith prepare a verified statement of account of all expenses incurred in, or by, or incident to such removal, filling, abatement, connection, construction, installation,

cleaning and repair, or either of them, and to file such verified statement of account with the City Assessor and ex-officio City Tax Collector.

(c) All expenses incurred in, occasioned by and incident to the removal, filling up and abatement of any cesspool, open vault or privy, and in causing any toilet, lavatory, urinal, water closet, sink, wash basin, wash tub and other like place or thing to be cleaned, flushed and placed in a good state and condition of repair and operation, and each of them, and as fixed and determined by said verified and itemized statement of account filed with the said City Assessor and ex-officio Tax Collector, are hereby declared to be a lien upon and against the said grounds, lots and premises and the buildings and improvements thereon, and shall be collected at the same time and in the same manner as other city taxes are collected.

(d) Any owner of any lot, grounds or premises within the City, who shall fail, neglest or refuse to remove, fill up and abate any such cesspool, open vault or privy, therein, or thereon, or who shall fail, neglect or refuse to connect any such toilet, lavatory, urinal, water closet, sink, wash basin, wash tub or other like place or thing therein or thereon with the City sewer, or who shall fail, neglect or refuse to keep and maintain any such toilet, lavatory, urinal, water closet, sink, wash basin, wash tub or other like place or thing therein or thereon in a sanitary condition, and in a good state and condition of maintenance and repair shall also be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not more than fifty dollars, or by imprisonment in the City Jail for not more than thirty days, or by both such fine and imprisonment.

Sec. 58. (a) It shall be unlawful for any person, firm, association or corporation to conduct, operate or maintain any slaughter house or other establishment where cattle, sheep, goats or swine are slaughtered or kept for slaughter within the corporate limits of the City of Phoenix or within one mile thereof save and except within the following boundaries, to-wit:

That portion of the Southwest quarter of Section Eighteen (18) Township One North of Range Three (3) East of the Gila and Salt River Base Line and Meridian, Maricopa County, Arizona, more particularly described as follows, to-wit: Beginning at the southeast corner of the southwest quarter of said Section Eighteen (18) and running thence north along the east boundary line of west half of said Section Eighteen (18) Twenty-two Hundred (2200)

feet; thence west parallel with the north boundary line of said southwest quarter of the west boundary line of said Section Eighteen (18); thence south Twenty-two Hundred (2200) feet along the west boundary line of said Section Eighteen (18) to the southwest corner of said Section Eighteen (18); thence east along the south boundary line of Section Eighteen (18) to the place of beginning.

(b) That those certain premises situated in the County of Maricopa, Arizona, and described in the preceding paragraph be, and the same are, hereby established as a slaughter house district.

(c) Any person, firm, association or corporation desiring to conduct, operate or maintain slaughter houses within the Slaughter House District hereby established, shall be subject at all times to any and all ordinances, resolutions, rules or other order that may be adopted by the Commission, sitting as a Board of Health, or otherwise, and nothing herein shall be construed as permitting any person, firm, association or corporation to conduct, operate or maintain any slaughter house within the district herein prescribed in such manner as shall in any way become unsanitary, obnoxious, offensive or a public nuisance.

Any person violating any of the provisions of this section shall be guilty of a misdemeanor.

Sec. 59. (1) The following diseases are hereby declared to be communicable and dangerous to the public health: Bubonic plague, chicken pox, cholera (Asiatic or epidemic), dengue, diphtheria (diphtheria croup, diphtheria sore throat), German measles, hydrophobia (rabies), leprosy, malarial fever, measles, relapsing fever, scarlet fever (scarlatina, scarlet rash), small pox (variola, varioloid), typhoid fever, whooping cough, yellow fever, typhus fever, infantile paralysis, epidemic cerebrospinal meningitis, and tuberculosis, and shall be understood to be included in the following sections unless certain of them only are specified.

(2) Every physician who shall know or suspect that any person, requiring his services professionally, is suffering from any of the diseases named in the preceding paragraph, shall forthwith make report in writing to the City Health Officer upon blanks to be furnished for that purpose. The report shall be personally signed by the physician and shall contain such items of information as are indicated on the blanks aforesaid. Cases merely suspected shall be reported as suspicious, or suspected cases, and the City Health Officer shall be notified promptly upon a definite decision being made as to the nature of the disease.

(3) In case of Asiatic cholera, bubonic plague, small

pox, and yellow fever, in addition to the card report the City Health Officer shall be immediately notified by the most expeditious method (telephone, telegraph, messenger). Like immediate notice, in addition to the card report, shall also be given to the City Health Officer of PRIMARY cases in the City of chicken pox, diphtheria, measles, scarlet fever and whooping cough.

(4) Every keeper of any private house, boarding house, lodging house, inn or hotel, who shall know or suspect that any person, boarder, lodger, guest, tenant or other occupant of premises owned, conducted, managed or supervised by him, or any member of his family, is suffering from any of the diseases named in this section shall forthwith make report in writing to the City Health Officer, provided, that where a physician or other person has professionally attended such person, the responsibility of such report shall devolve solely upon the physician or person so attending such person.

(5) The City Health Officer shall, upon receiving a report of any case of any disease, named in the first paragraph of this section, forthwith make such inspection and examination as may be necessary and shall take such action as may be provided herein or by the rules and regulations of the State Board of Health.

(6) Upon receipt of the reports in paragraphs 2 and 3 of this section provided the City Health Officer shall immediately proceed in the manner following:

(a) Upon notice to him of the existence of bubonic plague, cholera, small pox and yellow fever he shall declare and establish an absolute quarantine which shall continue until raised by him or by the City Board of Health and the term "Absolute quarantine" used herein shall include, first: Absolute prohibition of entrance to or exit from a building or conveyance except by officers or attendants authorized by the health authorities, and the placing of guards if necessary to enforce this prohibition; second: the posting of a warning placard stating the name of the disease, in a conspicuous place or places on the outside of the building or conveyance; third: the prohibition of the passing out of any object or material from the quarantined house or conveyance; fourth: provision for conveying the necessaries of life, under proper restrictions to be formulated by the Health Officer, to those in quarantine.

(b) Upon notice to him of the existence of diphtheria, measles, scarlet fever, infantile paralysis and epidemic cerebrospinal meningitis he shall declare and establish a modified quarantine; provided, however, that where, in his judg-

ment, the health of the community will be endangered by permitting the liberties of modified quarantine he may, at his discretion, establish absolute quarantine. The term modified quarantine as herein used shall mean and include, first: Prohibition of entrance and exit as an absolute quarantine, except against certain members of the family authorized by the health authorities to pass in and out under definite restrictions to be formulated by the Board of Health or the Health Officers; second: The placing of placards as in absolute quarantine; third: Isolation of patient and attendants. The wage earner of head of the family shall be allowed to continue his vocation provided he at no time comes in contact with the patient and that he has, and uses, facilities for thoroughly cleansing his hands immediately before leaving the premises. No such person, however, shall be employed in an establishment maintaining the production, sale or manufacture of candy or food products, including milk and ice cream; nor shall such person be employed as a teacher of children or in any other capacity that might bring him into intimate contact with children.

(c) Chicken pox, German measles, mumps, whooping cough, typhoid fever and leprosy shall be placarded and dated. Houses from which cases of variola or varioloid are reported shall be placarded and treated as small pox, and houses from which cases of membranous croup or diphtheric croup are reported shall be placarded and treated as diphtheria.

(d) All diseases named in this section shall be subject to such special instruction as may be issued by the Secretary of the State Board of Health or the Board of Health of the City and the placards used shall conform to those hereinafter described and numbered as Forms 1, 2, and 3.

FORM 1.

Form One shall not be less than six inches wide and nine and one-half inches long and shall bear the name of the disease in letters not less than one inch high. The wording shall be as follows:

Until this placard is legally removed, all persons not occupants of these premises are forbidden to enter. No person may leave this house or remove any article therefrom except by permission of the City Health Officer.

It shall bear the name of the City Health Officer and shall be used in all cases of small pox, scarlet fever, measles, diphtheria, Asiatic cholera, bubonic plague, typhus fever, yellow fever, infantile paralysis and epidemic cerebrospinal meningitis.

FORM 2.

Form 2 shall be of the same size and bear the name of the disease in letters of the same height as in Form 1. It shall be worded as follows:

All persons are notified of the presence of this disease and on account of its contagious character are warned against visiting or coming in contact with those sick with it.

It shall bear the name of the City Health Officer and shall be used in cases of chicken pox, German measles, mumps and whooping cough.

FORM 3.

Form 3 shall be not less than five inches wide and eight inches long and shall bear the name of the disease in letters not less than three-fourths of an inch high. It shall be worded as follows:

All persons are notified of the presence of this disease and are warned of the danger of coming in contact with the infection.

It shall bear the name of the City Health Officer and shall be used in cases of typhoid fever and leprosy.

(e) No case of any contagious disease shall be released from the quarantine to which it is subject prior to complete recovery, and in case of scarlet fever a minimum period of quarantine of thirty days shall be observed; and in diphtheria a minimum period of fourteen days from the disappearance of the membrane.

(f) Persons permitted access to and exit from households under modified quarantine shall abstain from attending places of amusement, worship or education, nor shall they, except in cases of necessity, visit other private houses.

(7) The head of a family occupying any house, apartment or premises, or the proprietor of any hotel, boarding house, lodging or tenement house upon or near which any placard or placards are placed, shall not remove, deface, cover up or destroy such placard or placards, nor shall any person, not authorized so to do by the proper authorities, deface, cover up, remove or destroy such placard or placards, and if, through accident, atmospheric conditions or otherwise, such placard or placards should be destroyed, removed or defaced, the householder or proprietor, as the case may be, shall at once notify the City Health Officer of that fact.

(8) No person shall let or hire any house, or room in any house, in which a communicable disease required to be placarded has recently existed until such room or house, and the premises connected therewith, have been cleaned and

disinfected to the satisfaction of the City Health Officer of the City Board of Health.

(9) All dogs, cats and pet animals kept about the premises infected with any disease requiring absolute or modified quarantine shall be rigidly excluded from the house until after the raising of the quarantine, or shall be destroyed should the City Health Officer or Board of Health deem it necessary.

(10) Upon removal to a hospital or other place, or upon the discharge by recovery or death of any person or persons from any of the diseases named in this section, the premises where such disease existed, together with the bedding, clothing and other articles exposed to infection, shall be disinfected by cleansing or cleaning and fumigation, to the satisfaction of the City Health Officer or Board of Health.

(11) Upon the death of any person within the City, the attending physician or other person in charge at the time of death, shall immediately report such death to the Board of Health, together with the cause of death, particularly stating the same. Such report shall be in writing, and known as a death certificate.

(12) Any person who shall fail, neglect or refuse to perform any duty or obligation imposed by the provisions of this section, or who shall violate any of the provisions thereof, shall be guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed three hundred dollars or by imprisonment in the City Jail for a period not to exceed six months or by both such fine and imprisonment.

Sec. 60. (a) It shall be unlawful for any person, association, firm or corporation to handle, expose for sale, sell or keep for sale any meats, poultry, game, fish, sea foods, vegetables, fruits, bread or other baker's products, or any other article or thing intended for food, within the limits of the City of Phoenix except as hereinafter provided.

(b) Raw or uncooked meat, poultry, game, fish, sea food, vegetables, bread and baker's products or any other article or thing intended for human food shall not be kept, exposed or offered for sale in or near any open window or doorway, outside of any building or in any street or private way or public place in the City of Phoenix, unless so covered or screened as to be protected from dirt, flies and insects and contact with animals; and no such articles or thing intended to be sold for or used as human food, including melons, shall be exposed or displayed in front of any place of business unless the box, stand or receptacle is

raised at least two feet above the sidewalk, floor, platform or landing on which such box, stand or receptacle rests. No such article or thing shall be carried through any street, private way or public place in said City, unless properly protected or screened from dirt, flies and other insects. Provided that melons, pumpkins, turnips, squash, green corn, peppers, green peas, dry onions, potatoes, cabbages, cucumbers, carrots, parsnips, and other such vegetables as from their nature must be peeled or cooked before consumption, may be kept, displayed and carried without cover or screen. Berries, grapes and other fruit kept in any building or store, shall be screened and covered to protect them from dirt, flies and other insects.

(c) Every person being an occupant or owner, lessee or otherwise, of any room, stall, building, wagon or place in the City where meat, poultry, game, fish, sea food, butter, vegetables, fruit, confectionery, baker's products, or other articles or thing intended for human food, shall be kept or offered for sale, shall maintain such room, stall, building, wagon or other place, and its appurtenances, in a clean and sanitary condition, properly screened and protected from dirt, flies, insects and animals. No dry sweeping of floors where any of these articles or things are kept shall be allowed, but such floors must be properly sprinkled before sweeping so as to prevent the raising and scattering of dust.

(d) It shall be unlawful for any person, firm, association or corporation to sell, offer or expose for sale, or have in his possession for the purpose of sale for human food, any diseased, tainted, corrupted or adulterated or unwholesome meats, poultry, fish, sea food, butter, cheese, lard, fruit, vegetables, milk or any other article or thing used for human food.

(e) All meats, poultry, fish, sea food, butter, cheese, lard, fruits, vegetables, milk or other thing or article, sold, offered or exposed for sale, or kept, maintained or stored for sale, or given away within the City of Phoenix by any person, firm, association or corporation, shall be subject to inspection at all times by the City Health Officer and any of his deputies and any officer assigned to that duty by the Commission or Board of Health of the City; and said City Health Officer and his deputies and such other officers are hereby authorized and empowered to enter any place or places where such articles or things are sold, offered or exposed for sale, given away, kept or stored for sale, for the purpose of inspecting such meats, fruits, vegetables and other articles or things and said officer or officers are

hereby authorized and empowered to arrest any person selling, exposing or offering for sale, or keeping or storing for sale, any tainted, diseased, corrupted, adulterated or unwholesome articles or things commonly used for human food as in this section mentioned, referred to or enumerated.

(f) Whenever any meat, fruit, vegetables or other article or thing in this section named, referred to or enumerated, kept, sold, displayed, stored or offered for sale, shall, upon inspection and examination by the City Health Officer, any of his deputies or other officer or officers assigned to that duty by the Commission or Board of Health of the City of Phoenix, be found to be decayed, diseased, tainted, corrupted, adulterated, unwholesome or unfit for human food, said officer shall condemn such article or thing and place thereon a placard stating that the same is unfit for human food and may otherwise identify the same, and the proprietor of such place of business or of any vehicle used for the transportation, storage or sale of such articles and things, wherein such articles or things are contained, shall thereupon remove and destroy the condemned article or thing and any such person or persons failing, neglecting or refusing to remove and destroy such condemned articles and things shall be guilty of a misdemeanor.

(g) It shall be unlawful for any person to hinder or obstruct the City Health Officer, his deputies or any other officer authorized to inspect foods, in the performance of the duties or in the exercise of any of the powers herein prescribed; and it shall be unlawful for any person to refuse admission, access or inspection to such officer or officers to any house, room, place, wagon, cart or other vehicle occupied or in the possession, or under the control of such person, in or from which meats, fruits, vegetables, baker's products or other articles or things used for human food are sold, offered or exposed for sale or kept or stored for sale.

(h) Whenever any person procures a license to hawk or peddle any of the articles of food in this section mentioned, it shall be the duty of the City Assessor and Tax Collector to designate the number for the wagon or vehicle to be used by such person, and such person shall attach such number and his name to such wagon, or vehicle, in plain letters in a conspicuous place so that the same may be easily seen, and the said City Assessor and Tax Collector shall keep a register of such name or names and number on file in his office and open for public inspection.

Any person who operates, uses or controls any market wagon or other vehicle from which any meats, poultry, fish, butter, cheese, lard, fruit, vegetables, milk or other pro-

visions, articles or things used for human food, are sold, displayed or offered for sale, without a card attached thereto, showing the number of his vehicle or wagon and the name of the owner or person using or operating the same shall be guilty of a misdemeanor.

(i) It shall be unlawful for any person, firm, association or corporation, or other agents, servants or employes, to sell, exchange or deliver, or to have in possession or custody for sale, exchange, or delivery within the City of Phoenix, any milk of which the specific gravity is less than 1.03 at 60 degrees Fahr., in which the amount of solids is less than 12 per cent thereof; the amount of butter fat is less than 3 2/5 per cent thereof; the amount of cream by volume is less than 9 per cent thereof; or in which the amount of water is more than 88 per cent thereof.

(j) Any person who shall violate any of the provisions of this section or who shall fail, neglect or refuse to perform any duty or obligation imposed upon him by or under the provisions of this section shall be deemed guilty of a misdemeanor.

Sec. 61. (1) On and after September 1, 1915, any milk and cream held, kept or offered for sale or sold and delivered in the City of Phoenix, shall be so held, kept, offered for sale or sold and delivered under either or any of the following grades or designations, and all such milk and cream shall conform to the definitions given in this Ordinance, for such grade or designation, and under no other, namely:

(a) Grade A:
    (1) Guaranteed milk.
    (2) Inspected milk (raw).
    (3) Pasteurized milk.
(b) Grade B:
    (1) Selected milk (raw).
    (2) Pasteurized milk.
(c) Grade C. (For the manufacture of ice cream only).
(d) Grade D. (For cooking and manufacturing purposes only).
(e) Buttermilk or artificial buttermilk.
(f) Skimmed milk.
(g) Modified milk.
(h) Adjusted milk.
(i) Substandard milk or cream.
(j) Heated milk or cream.

(2) No milk or cream shall be held, kept, offered for sale or sold and delivered in the City of Phoenix under

either or any of the designations known as Grade A, B, C or D, or any of the subdivisions thereof, or any of the designations "Buttermilk," "Skimmed Milk," "Modified Milk," "Adjusted Milk," "Substandard Milk or Cream" or "Heated Milk or Cream," without a permit in writing therefor from the Health Department, subject to the conditions thereof.

Such permit shall specify the grade and subdivision thereof and the special designation of milk which the holder of the permit shall thereby be authorized to keep for sale or offer for sale as aforesaid.

None of the provisions hereof, however, shall apply to condensed milk, when contained in hermetically sealed cans.

3. (a) GRADE A. GUARANTEED MILK AND CREAM. DEFINITION. Grade A guaranteed milk or cream shall be milk or cream produced at farms holding permits therefor from the City Health Department, and produced and handled in accordance with the following minimum requirements:

(1) Only such cows shall be admitted to the herd as shall have immediately theretofore been subjected to a diagnostic injection of tuberculin and have not reacted.

(2) All such cows shall be tested annually with tuberculin and all reacting animals shall be excluded from the herd.

(3) Such milk shall not contain more than 10,000 bacteria per cubic centimeter and such cream not more than 50,000 bacteria per cubic centimeter when delivered to the consumer or at any time prior to such delivery.

(4) Such milk or cream shall be delivered to the consumer in sealed bottles only, which said bottles shall have been sealed at the dairy or creamery with a cap or crown completely covering the lip of the bottle, and shall be labeled with the day of the week upon which the earliest milking, of which the contents of such bottle may be a part, has been drawn.

(5) Such milk or cream shall be delivered to the consumer within twelve hours of the time at which it was drawn.

(b) GRADE A. INSPECTED MILK OR CREAM (RAW). DEFINITION. Grade A inspected milk or cream (raw) shall be milk or cream produced at farms holding permits therefor from the City Health Department and produced and handled in accordance with the following minimum requirements:

(1) Only such cows shall be admitted to the herd as

shall have immediately theretofore been subjected to a diagnostic injection of tuberculin and have not reacted.

(2) All such cows shall be tested annually with tuberculin, and all reacting animals shall be excluded from the herd.

(3) From the First day of October to the First day of May in each year, such milk shall not contain more than 50,000 bacteria per cubic centimeter and such cream not more than 150,000 bacteria per cubic centimeter, and from the First day of May to the First day of October in each year, such milk shall not contain more than 100,000 bacteria per cubic centimeter and such cream not more than 300,000 bacteria per cubic centimeter when delivered to the customer or at any time prior thereto.

(4) Such milk or cream shall be delivered to the consumer only in bottles, which said bottles shall have been sealed at the dairy or creamery with a cap or crown completely covering the upper surface of the lip of the bottle.

(c) GRADE A. PASTEURIZED MILK OR CREAM. DEFINITION. Grade A pasteurized milk or cream shall be milk or cream produced at farms holding permits therefor from the City Health Department and produced and handled in accordance with the following minimum requirements:

(1) Only such cows shall be admitted to the herd as shall have immediately theretofore been subjected to a diagnostic injection of tuberculin and have not reacted.

(2) All milk or cream of this grade shall be pasteurized and immediately cooled to a temperature not to exceed 50 degrees F., and shall be kept at such temperature until delivered to the consumer.

Such pasteurization shall be carried on under a permit issued therefor by the City Health Department, in addition to the permit "pasteurized milk or cream, Grade A."

(3) Such milk shall not contain more than 30,000 bacteria per cubic centimeter and such cream not more than 100,000 bacteria per cubic centimeter when delivered to the consumer or at any time after pasteurization and prior to such delivery, and shall not show bacilli of the colon group in one cubic centimeter as determined by cultural methods.

(4) Such milk and cream shall be delivered to the consumer only in bottles, which said bottles shall have been sealed at the dairy or creamery with a cap or crown completely covering the upper surface of the lip of the bottle.

(5) Such milk or cream shall be delivered to the consumers in the City of Phoenix within twelve hours after the completion of the process of pasteurization.

(6) No milk or cream shall be pasteurized more than once.

(7) No milk containing in excess of 100,000 bacteria per cubic centimeter nor cream containing more than 300,000 bacteria per cubic centimeter shall be pasteurized.

(d) The caps and crowns of all bottles containing milk or cream of Grade A shall be white, and shall contain the words "Grade A" in black letters in large type together with the designation "Guaranteed Milk," "Guaranteed Cream," "Inspected Milk (Raw)," "Inspected Cream (Raw)," "Pasteurized Milk" or "Pasteurized Cream," as the quality of the contents may require. Such labels shall also bear the date and morning or evening thereof of milking, and, if pasteurized, the date and hour when pasteurization was completed.

(e) No herd shall be considered as having had the tuberculin test applied unless such test shall have been applied by a qualified veterinarian, according to the directions laid down by the United States Bureau of Animal Industry by the Intradermal Method. A written report of all such tests shall be filed with the application for a permit as hereinafter provided, and a supplementary written report shall be made for each addition to the herd and for each additional test, and all such supplementary reports filed with the original application for permit.

4. (a) GRADE B. SELECTED MILK OR CREAM (RAW). DEFINITION. Grade B selected milk or cream (raw) shall be milk or cream produced at farms holding permits therefor from the City Health Department and produced and handled in accordance with the following minimum requirements.

(1) Only such cows shall be admitted to the herd as shall have immediately theretofore been physically examined by a regularly qualified veterinarian and declared by him to be healthy and free from tuberculosis insofar as a physical examination may determine that fact. All such cows shall be examined annually by a qualified veterinarian and all diseased animals shall be excluded from the herd.

(2) From the First day of October to the First day of May in each year, such milk shall not contain more than 150,000 bacteria per cubic centimeter and such cream not more than 500,000 bacteria per cubic centimeter, and from the First day of May to the First day of October in each year, such milk shall not contain more than 300,000 bacteria per cubic centimeter and such cream not more than 1,000,000 bacteria per cubic centimeter when delivered to the consumer, or at any time prior thereto.

(b) GRADE B. PASTEURIZED MILK OR CREAM. DEFINITION. Grade B pasteurized milk or cream shall

be milk or cream produced under a permit issued therefor by the City Health Department and produced and handled in accordance with the following minimum requirements, and in further accordance with the requirements hereinbefore provided for and relating to the pasteurization of milk and cream.

(1) All herds shall be examined annually by a qualified veterinarian and all diseased animals excluded from the herd.

(2) All containers in which such grades A or B pasteurized milk or cream be delivered to the consumer shall be plainly labeled "Grade A Pasteurized or Grade B Pasteurized" as the case may be. Such labels shall also bear: The day of the week and the hours of milking, the date and hour when such pasteurization shall have been completed, the place where such pasteurization shall have been performed, and the name of the person, firm or corporation performing such pasteurization.

(3) Such milk shall not contain more than 100,000 bacteria per cubic centimeter and the cream not more than 300,000 bacteria per cubic centimeter when delivered to the consumer or at any time after pasteurization and prior to such delivery, and shall not show more than 100 bacilli of the colon group in one cubic centimeter as determined by cultural methods.

(4) Such milk or cream shall be delivered to consumers in the City of Phoenix within twenty-four hours after completion of the process of pasteurization thereof.

(5) No milk or cream shall be pasteurized more than once.

(6) No milk containing more than 500,000 bacteria per cubic centimeter and no cream containing more than 1,000,000 bacteria per cubic centimeter shall be pasteurized.

(c) Caps or crowns of bottles containing milk or cream of Grade B shall be white and marked "Grade B" in black letters in large type, together with the words of the subdivision to which the quality of such milk or cream in such bottles conforms.

The necks and shoulders of all cans containing milk or cream of Grade B shall be painted bright green, and a tag shall be affixed to each can with the words "Grade B" in large type, together with the words of the subdivision to which the quality of such milk or cream in such cans conforms.

5. (a) GRADE C. PASTEURIZED MILK OR CREAM FOR THE MANUFACTURE OF ICE CREAM ONLY. DEFINITION. Grade C pasteurized milk or cream

shall be milk or cream produced at farms holding permits therefor from the City Health Department and produced and handled in accordance with the requirements of Grade B Pasteurized Milk or Cream with the following exceptions:

(1) No milk containing more than 1,000,000 bacteria per cubic centimeter and no cream containing more than 2,000,000 bacteria per cubic centimeter shall be pasteurized.

(2) Such milk or cream shall be sold only at wholesale and only at restaurants, hotels and ice cream manufacturing plants and the same shall not be sold by them except in the form of ice cream.

(3) Necks and shoulders of all cans containing milk or cream of Grade C shall be painted yellow and a tag shall be affixed to each can with the words "Grade C" printed thereon in large type.

(b) GRADE D. MILK OR CREAM FOR COOKING AND MANUFACTURING PURPOSES ONLY. DEFINITION. Grade D milk or cream shall be milk or cream not conforming to the requirements of any of the subdivisions of Grade A, Grade B or Grade C, and may be sold under the following conditions:

(1) Milk or cream of Grade D shall not be sold at retail from stores, hotels, restaurants or manufacturing plants.

(2) Milk or cream of Grade D may be sold to restaurants, hotels and manufacturing plants only, but shall not be sold by them except in the form of manufactured products.

(3) Cans containing milk or cream of Grade D shall be painted red on the necks and shoulders, and each such can shall be provided with a tag containing the words "Grade D" in large type, and shall also have painted on them in white figures not less than two and one-half inches high the number of the permit issued to the dairy from which such cans come. All creameries handling milk or cream of different grades shall be required to demonstrate to the City Health Officer that they are capable of keeping such grades separate, and shall keep records thereof satisfactory to the City Health Officer concerning the amount of milk and cream and of each grade thereof handled each day.

(4) Nothing in this Ordinance shall be so construed as to permit the use of milk or cream of Grade D in the manufacture of ice cream or any uncooked product.

6. DEFINITION. (a) MILK. Milk shall be the fresh, clean lacteal secretion obtained by the complete milk-

ing of one or more healthy cows, properly fed and kept, excluding such secretion obtained during the period of fifteen days next before calving and for the period of eight days next after calving; and containing, by weight, not less than 3.25 per cent of milk fat, and a total of milk solids not less than 12 per cent.

(b) CREAM. Cream shall be that portion of milk, rich in milk fat, that rises to the surface on milk standing, or that may be separated from milk by centrifugal force, and the same shall be fresh and clean, and shall contain, by weight, not less than 20 per cent of milk fat, and in the non-fatty portion thereof not less than 8.8 per cent, nor more than 9.8 per cent of milk solids.

(c) PASTEURIZED MILK OR CREAM. Pasteurized milk or cream shall be milk or cream that shall have been heated to a temperature of 140 degrees F., for not less than 20 minutes, or 155 degrees F., for not less than 5 minutes, and for each degree of temperature over 140 degrees F., the length of time may be one minute less than 20, provided that no such milk or cream shall be so heated for less than five minutes. Such milk or cream shall be cooled immediately thereafter to 50 degrees F., or below, and except as provided for Grade A Pasteurized Milk and Cream, shall be kept at or below that temperature until started on final delivery route.

(d) BUTTERMILK OR ARTIFICIAL BUTTERMILK. Buttermilk shall be the product remaining after butter shall have been removed from milk or cream in the process of churning and shall contain, by weight, not less than eight per cent of milk solids. Any milk product simulating buttermilk manufactured by any process other than the above, shall be known and labeled as artificial buttermilk.

(e) SKIMMED MILK. Skimmed milk shall be milk from which all or a portion of the milk fat shall have been removed, and which shall contain, by weight, in the non-fatty portion thereof, not less than 8.8 per cent of milk solids. Such skimmed milk may be handled in accordance with the following minimum requirements:

(1) All cans and other receptacles containing such skimmed milk shall have the entire outside thereof painted a bright red and kept so painted at all times while in use for such purpose.

(2) Such cans and other receptacles shall also have painted on the outside thereof, not less than six inches from the top of such cans or other receptacles, the words "Skimmed Milk" in plain bright yellow letters not less than

three inches in height and one inch in width on two sides thereof.

(3) Provided, however, that these regulations shall not apply to such skimmed milk sold in bottles. In such cases the words "Skimmed Milk" shall be printed, stamped or painted clearly and legibly on the caps or crowns closing such bottles.

(f) MODIFIED MILK. Modified milk shall be milk of subdivision 1 or 2 of the classification known as "Grade A," which shall have been changed by the addition of water, lime water, sugar of milk, or other substances intended to render the milk suitable for infant feeding. All modified milk shall be pasteurized after bottling, immediately cooled to at least 50 degrees F., and kept at or below such temperature until delivered to the consumer.

(g) ADJUSTED MILK. Adjusted milk shall be milk in which the ratio of the fats to the solids not fat shall have been changed by the addition thereto or subtraction therefrom of cream. All labels upon the containers of adjusted milk shall show the minimum guaranteed percentage of fat therein and the handling and disposition of such milk shall comply with the same sanitary and chemical requirements as for milk not so standardized or modified.

(h) SUBSTANDARD MILK. Substandard milk shall be any natural milk that shall contain less than 3.25 per cent, but more than 2.5 per cent of milk fat, and substandard cream shall be any cream that shall contain less than 20 per cent of milk fat, provided both such milk and cream shall comply in all other respects with the requirements set forth in this Ordinance, and may be handled in accordance with the following minimum requirements:

(1) The percentage of fat in such milk or cream shall not fall below a definite percentage and such definite percentage shall be stated in a conspicuous manner on the container, and each container shall be conspicuously marked "Substandard Milk" or "Substandard Cream."

(i) HEATED MILK OR CREAM. All milk or cream the temperature whereof shall have been artificially raised, in which the process shall not conform to that prescribed for pasteurized milk or cream, as defined by this Ordinance, or which shall have been subjected to the process known as "pasteurization by the flash method," shall be known and labeled as "heated milk" or "heated cream." Prior to heating, such milk or cream shall conform to the requirements specified for milk and cream of Grade B pasteurized, prior to pasteurization. No such milk or cream shall be held or offered for sale in the City of Phoenix after December 31,

1915. Provided, however, "homogenized" cream may be sold if labeled "homogenized cream" and the percentage of milk fat guaranteed be stated in not smaller than ten-point type on the label of the container thereof.

7. PERMITS. (a) A permit for the sale of milk or cream of any grade or designation, may be granted only after an application therefor shall have been made in writing on a blank provided for such purpose by the City Health Department, and to such application only as shall fully comply with the provisions of this ordinance. Such permit shall designate the grade or special kind of milk or cream to be sold thereunder; no such permit shall be transferable either as to the person, firm or corporation to whom issued, or as to the location of the farm, dairy, creamery, store or shop covered thereby. All permits shall expire on the First day of January of each year and shall be renewed in the manner provided for an original permit.

(b) Within fifteen days before the first day of January of each year, permits may be renewed by the City Health Department for the ensuing year to any applicant who shall fully comply with the provisions of this Ordinance.

(c) Before the issuance of any such permit to any vender or shipper of milk or cream, the applicant for such permit shall make application therefor upon a printed form, provided by the City Health Department for that purpose, on which shall be stated:

(1) The name, residence, postoffice address and location of the business place or places of the applicant, and if a corporation the name of the manager.

(2) A statement of the grade of milk or cream or both thereof as hereinbefore defined such applicant intends to sell.

(3) If the applicant proposes to buy part or all his milk or cream supply, the names and addresses of all persons from whom he proposes to obtain such milk or cream, or from whom he proposes buying such milk and cream during the period covered by such permit, and the amount of gallons, approximately, of milk and cream obtained from each. In the case of applicants buying or selling milks or creams of different grades, a separate application and permit shall be required for each grade.

(4) The number of cows from which such applicant proposes to obtain milk for sale or other disposition.

(5) The approximate average daily quantity of milk and cream proposed to be sold.

(6) If it be proposed to sell any milk or cream at wholesale the name of consignee or consignees.

(7) The source of all water supplies to be used for watering cattle, washing utensils or otherwise utilized in producing such milk and cream.

(8) The location of all privies and cesspools with relation to (a) the well, (b) the stable, (c) the milk house, (d) other premises wherein any such milk or cream is to be handled or from which sold.

(9) Whether or not unfenced ditches or adobe holes to which the cows from which any such milk is proposed to be obtained, may wade in, exist on the farm.

(10) If such applicant be a shipper of milk or cream into the city, he shall, in addition to the above, state the route over which he proposes to make shipments.

(11) Such other information as the City Health Officer may require.

(12) All applications for permits shall be made and signed by the applicant and shall constitute an agreement on the part of such applicant that he will conform to the terms of this Ordinance, and all requirements of the City Health Officer made under the provisions of this Ordinance.

(d) At the time of filing application for permission to produce, sell or otherwise dispose of milk or cream other than that of Grade D, the applicant, if a producer, shall file a certificate from a qualified veterinarian that the herd from which such milk or cream be produced has been inspected or tuberculin tested, as the case may be, however, that applicants for permits to sell or produce Grade D milk or cream shall produce and file a properly verified certificate that there are no animals in the herd which have reacted to the tuberculin test.

(e) The Health Department shall issue no permits for the sale or other disposition of milk or cream, other than Grade D milk or cream, unless the City Health Officers be satisfied, after inspection, with the cleanly and sanitary condition of the stables, cows, wagons, store or place of business of the applicant therefor, and of all the utensils used in the production and handling of such milk and cream; that the water supply for use in the dairy is pure and wholesome; that no adobe holes or other stagnant water exists in a place in which the cows may wade; and that all persons engaged in the care and handling of the milk are free from any contagious diseases, that said persons use due cleanliness in their work and that all other provisions of this Ordinance shall be complied with. Permits may be issued for milk or cream of Grade D subject to future inspection.

No permits for pasteurizing plants shall be issued until

all the apparatus connected with the pasteurization shall have been tested and the processes approved by the City Health Officer.

(f) The City Health Department shall assign a number to each permit issued and issue to the permittee a sufficient number of cards bearing this number in plain figures not less than 2½ inches in height, which card shall be placed in a conspicuous place on all vehicles used in the transportation of milk or cream produced, sold or otherwise disposed of by the holder of such permit; and in addition thereto each such vehicle shall bear a number and the same placed thereon by the permittee.

(g) The City Health Department shall enter in a book, or card index system provided for that purpose, the name of each person to whom a permit shall have been issued, stating the name, place of residence and postoffice address of such person, and the date of the issuance of such permit. All applicants for permits shall be kept and filed by the City Health Department as a part of the records.

(8) REVOCATION OF PERMITS. If, after the issuance of a permit to sell, produce or handle milk or cream, the City Health Officer shall become satisfied that any provision of this Ordinance is being violated, he shall at once revoke the permit issued to such person or persons so violating this Ordinance, and no new permit shall be issued until all unsanitary conditions have been rectified and all the provisions of this Ordinance are complied with.

Any person doing business under a permit from the City Health Department who shall change the location of such business, or change the source of supply as given in the application for the permit, or make or know of any addition to the dairy herd from which his product is being obtained, without notifying the City Health Officer and the City Health Department of such change, shall be liable to have such permit revoked without notice.

9. MILK TICKETS. Any permittee under this Ordinance offering milk or cream for sale, using tickets as representatives of value, shall use tickets in coupon form and such tickets shall be destroyed after once using. No milk ticket shall be collected by any dairyman from any person afflicted with, or from any house in which there exists, a contagious or infectious disease.

10. MILKING PLACE. All stables, corrals and other places where milk is to be drawn from cows shall at all times be thoroughly cleaned and all dust allowed to settle before milking begins.

11. COWS. Cows shall be kept clean; manure, mud,

litter, or other material shall not be allowed to become caked or dried on them. They shall not be allowed to stand in nor wade through filth or manure; and shall be cleaned by currying and brushing and the flanks and udders cleaned with a wet or damp clean cloth immediately before each and every milking. The hair on the flanks and about the udders shall be clipped short.

12. FEED AND WATER. Cows shall be fed on clean feed which shall be neither decayed, moldy nor dusty. On and after October 1, 1916, pure water, free from contamination, pumped in clean tanks, shall be provided in sufficient quantity for watering the cows, cleaning the utensils, and for all other dairy purposes.

13. MILKERS. The milkers shall be persons in good health and shall thoroughly wash their hands with soap, warm water and nail brush and dry them on clean individual cloths, or paper or cloth towels immediately prior to such milking. Under no circumstances shall the use of roller or like towels be permitted. All milking shall be done with dry hands. No person known to be a typhoid, diphtheria, or other contagious or infectious disease carrier shall be considered a person in good health.

14. UTENSILS. All cans, bottles, and other utensils of every sort used in the production, storage, sale or distribution of milk or cream in this city shall be cleaned and sterilized with boiling water or steam before they are again used for the same or like purpose, and all cans, measures, or other utensils made of metal shall be kept free from dents and rust, and there shall be proper appliances used for washing all utensils used in the production, mixing, storage, sale or distribution of milk or cream, and all utensils shall be washed, cleaned and sterilized with boiling water or steam regularly after being so used. The filling of bottles except at the dairy or creamery shall be strictly prohibited. If any name or initials appear upon any bottles or cans used for delivery such name or initials shall be the name or initials of the person, firm or corporation in whose service such container is being used, and no other.

15. WATER. The water used in washing apparatus, utensils, cows and hands of milkers shall be from a public water supply, or from a well or spring approved by the City Health Officer.

16. WAGONS OR VEHICLES. No milk or cream shall be brought into or carried within the City of Phoenix for the purpose of sale or other disposition which shall have been carried upon any wagon or vehicle which shall not be clean and free from offensive odors or upon which swill,

refuse, garbage or decaying, unwholesome or filthy matter shall have been carried. If any name appear upon such vehicle, such name shall be the name of the dairy or owner in whose service such vehicle is being used. Such vehicles shall also bear the permit number as elsewhere provided.

17. PRIVY. All farms shall be equipped with a sanitary, fly proof privy or cesspool, located at least one hundred feet from any well or connected with a sanitary sewer. If a privy, such privy shall be located at least one hundred feet from any milk house and milking corrals, and the construction thereof together with that of any cesspool shall be subject to the approval of the City Health Officer, and any such privy or cesspool shall be removed or filled up and abated on the order of the City Health Officer.

18. STAGNANT WATER. No stagnant pool or adobe hole in which the cows may wade shall be permitted on the dairy farm.

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19. MILK HOUSE, BOTTLING AND COOLING Immediately after milking, all milk shall be removed from the stable into a milk room, thoroughly screened from flies and other insects, and there cooled or separated if either thereof is to be done upon the premises, and put into perfectly clean bottles or cans. The milk house or milk room shall be located at least fifteen feet from any other building and at all times shall be kept in a clean and sanitary condition. Dairymen and other milk and cream dealers and handlers using both bottles and cans in handling and delivering milk and cream shall not under any circumstances fill bottles while on their delivery route.

All milk intended for sale, delivery or use within the limits of this city as grade "A" milk or grade "B" milk, immediately upon being drawn from the cow, and all cream intended for such sale, delivery or use as grade "A" or grade "B" cream, immediately upon its separation from the milk shall be cooled to a temperature of not more than 60 degrees Fahrenheit, nor below the freezing point and thereafter be kept at such temperature continuously until delivery to the consumer (except pasteurized milk or cream during the process of pasteurizing only) and the actual sale or delivery of milk or cream within the limits of this city as grade "A" milk or cream or grade "B" milk or cream shall be conclusive proof that such milk or cream was so intended for such sale, delivery or use.

20. STORES AND SHOPS. Milk or cream being kept for sale in any shop, restaurant, market, bakery, or other establishment shall be stored in a covered ice box or refrigerator. No vessel containing milk or cream for sale

shall be allowed to stand outside of such ice box or refrigerator except while a sale is being made. Every such ice box or refrigerator shall be properly drained, cleaned and cared for, and shall be kept in a thoroughly sanitary condition and only in such locations as shall be approved by the City Health Officer.

Creameries, milk depots, pasteurizing plants, or other establishments where milk or cream is bottled, pasteurized, heated or manufactured into a milk product, shall be provided with floors of water tight construction so laid as to allow ready drainage. They shall be properly lighted and ventilated; the equipment shall be so arranged and constructed that it can be easily and efficiently cleaned, and such establishment shall be efficiently screened in all parts where milk or cream is exposed or transferred from one receptacle to another. No person other than officers or employes of the person, firm or corporation operating such establishment, or duly authorized officers or agents of the City of Phoenix, the County of Maricopa, the State of Arizona, or the United States, shall enter the pasteurizing room unless accompanied by an officer of the firm or corporation operating the creamery or other establishment as the case may be.

21. CONTAGIOUS DISEASES. Should septic sore throat, scarlet fever, smallpox, diphtheria, typhoid fever, tuberculosis, or infectious disease occur in the family of any dairyman or milk handler or vendor, or among any of his employes or in the family of any thereof, or in any house in which milk is kept for sale, or in the family or among the employes of any person who ships milk into the city for sale, such dairyman, vendor, handler or shipper of milk shall immediately notify the City Health Officer and at the same time shall immediately suspend the sale, handling or distribution of milk until authorized to continue the same by the City Health Officer. The City Health Officer shall make immediate investigation and permit the sale of such milk under such regulations as he shall deem proper.

Should any dairyman, handler, vendor or shipper of milk fail to so notify the City Health Officer when any such disease exists in his or her family or any of his or her employes, or in any house in which milk is kept for sale, or who, after such information is given the City Health Officer, shall fail to obey his directions, the City Health Offilcer shall seize and destroy all milk and cream sent into the city by any such person and all milk and cream of which such milk and cream may form a part,

and such officer shall, when acting in good faith, be held harmless in damages therefor in any suit or demands made.

In delivering milk to any family in which there exists any of the above named diseases other than tuberculosis, the dairyman or other vendor shall not enter, nor shall he permit any of his milk bottles or vessels to be taken into such house, but he shall pour such milk or cream as such family may wish into vessels furnished by such family. No bottle or other container previously left with any such family in which any such disease occurs shall be removed therefrom except with the consent of the City Health Officer.

22. ADULTERATION AND MISBRANDING. No milk or cream which shall have been watered, adulterated or misbranded shall be brought into the City of Phoenix, or held, kept, sold or offered for sale at any place in said city except as in this Ordinance provided.

The term "adulterated milk or cream" or "misbranded milk or cream" when so used in this Ordinance shall mean:

(1) Milk or cream which shall have been adulterated by water or any other fluid, or into which there has been introduced any foreign substance whatever.

(2) Milk or cream containing an appreciable amount of dirt, foreign matter or sediment.

(3) Milk or cream drawn from cows suffering from sore or inflamed udders or teats, or from cows otherwise diseased, or which have reacted to the tuberculin test.

(4) Milk or cream which shall have been repasteurized.

(5) Milk or cream reacting to the usual or ordinary test or tests for formalin, salisylic acid or boric acid.

(6) Milk or cream so labeled or branded as to deceive or mislead or tend to deceive or mislead the purchaser, or if it be falsely labeled in any respect, or if the bottle or other receptacle, or its label or tag, shall bear any statement, design or device, regarding the contents of such bottle or other receptacle, which statement, design or device shall be false or misleading in any particular.

23. DAIRY SCORES. The City Health Officer shall as often as once in every three months inspect and score or cause to be inspected and scored all dairies, dairy farms, creameries and other places where milk or cream is produced, handled or sold, and to which permits shall have been issued for the production, handling or sale of milk or cream other than Grade D and buttermilk. He shall also once in every three months cause to be taken

and examined chemically and bacteriologically not fewer than three samples of milks and creams aforesaid, and at such other intervals as he may deem fit. He shall thereupon make up a score for each of such dairies, dairy farms, creameries, and other places, which scores shall be based upon:

(a) The inspection score card for the dairy or dairy farm, or of a creamery or other place, the dairies and dairy farms in proportion as they contribute to the milk and cream supply of such creamery or other place, and the score of the creamery or other place itself.

(b) The chemical analysis of the milk and cream for total solids.

(c) The bacterial count as determined by an average of not fewer than three counts.

The percentage of milk fat shall be determined by the Babcock test. The percentage of solids shall be calculated by the Richmond side rule method.

The tests for the bacterial count shall be made in conformity with the methods of the American Public Health Association, except that 1½ per cent sugar shall be used instead of 1 per cent sugar.

A copy of this score card or score cards to be used in the scoring of dairies, dairy farms, creameries and other places, shall be furnished to such applicant for a permit to produce or sell milk or cream other than Grade D at the time of the making of such application. The City Health Officer shall also have published at least once in the official newspaper the method by which the total score for dairies, dairy farms, creameries and other places is reached. Such method shall not be changed without likewise publishing in a conspicuous manner any changes in such method or methods of scoring. All scores shall be published at least once in every three months. All dairies, dairy farms, creameries, and other places producing, selling or handling milk or cream of Grade D and buttermilk shall be inspected at least once annually and as much oftener as may be necessary to see that same conforms to the provisions of this Ordinance.

24. For the purpose of enabling the City Health Officer and the City Health Department to carry out and enforce the provisions of this Ordinance, the City Health Officer, or any qualified inspector or agent of the Health Department shall at all times have free access to all barns, stables, dairies, creameries, stores, wagons, and all other buildings and premises in which cattle are kept from which any part of the milk supply of the City of Phoenix be

obtained or in which milk is received, kept, bottled, canned or offered for sale, for the purpose of inspecting said premises, cattle, vehicles, cans, vessels, measures, and other utensils used in conducting the production, handling, sale or delivery of milk or cream, and for the purpose of taking for analysis or other tests, to determine the quality thereof, samples of milk or cream kept or intended for sale or other disposition in the City of Phoenix. All such persons holding permits for the production, handling or sale of milk or cream of any grade or designation, shall, for such purpose, allow such free access as above specified, and shall allow samples not to exceed one pint of milk or one-half pint of cream, to be taken by the City Health Officer, or any person deputed by him, at any time upon demand.

25. Words used in the singular shall include the plural and used in the plural shall include the singular and the word "person" as used in this ordinance shall include firm and firms, corporation and corporations, association and associations and the provisions hereof shall include and embrace agents, servants and employes as well as principals and employers. The word "milk" unless otherwise specified or defined, and in so far as applicable to Sections 7 to 22, inclusive, shall be held and construed to mean any liquid or produce included and enumerated in Section one of this Ordinance.

26. Copies of this section shall be printed and a copy of same delivered with each permit or renewal of same, and such copy shall be posted in a conspicuous place at the dairy, dairy farm, creamery or other place, of the person holding such permit.

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27. Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not to exceed three hundred dollars or by imprisonment in the City Jail for a period not to exceed six months or by both such fine and imprisonment, and in addition to such fine or imprisonment, or both, the permit of the defendant to sell and deliver milk within the City of Phoenix may, by order of the Court, be revoked.

CHAPTER IV.

OFFENSES AGAINST THE PUBLIC SAFETY.

Sec. 62. It shall be unlawful:

(a) To personate a policeman, marshal, constable or officer in any manner.

(b) To allow any horse or other animal to stand on the street unless securely tied.

(c) To ride or drive any animal through the streets at a rate of speed exceeding twelve miles an hour.

(d) To keep or maintain bees within the corporate limits of the City of Phoenix.

Any person violating any of the provisions of this section shall be guilty of a misdemeanor.

Sec. 63. Every person obstructing or causing to be obstructed, any public street, alley or sidewalk, either by riding, driving or leading any animal or horse upon any sidewalk, or permitting horses or mules to stand upon any sidewalk, or running, leaving or placing any cart, buggy or wagon upon the same, or placing, permitting or suffering any article to remain upon any street or alley so as to render such sidewalk, street or alley unsafe or dangerous to pass over or upon, or by making any fence, railing or other obstruction across any public street, alley or sidewalk, or any part thereof, or maintaining or keeping any fence, post or other obstruction on or across any such public street, alley or sidewalk, without permission of the Commission first obtained, shall be guilty of a misdemeanor.

Sec. 64. It shall be unlawful for any person or persons, association of persons or corporation to obstruct or cause to be obstructed any public street or alley, sidewalk or park, or other public grounds within the limits of the City of Phoenix by committing any act of or doing anything therein or thereupon which is injurious to the health, or indecent or offensive to the senses, or to do or cause to be done in or upon any such streets, alleys, sidewalks, parks or other public grounds, any act or thing which is an obstruction or interference to the free use of property, or with any business lawfully conducted by anyone, in or upon, or facing or fronting on any of said streets, alleys, sidewalks, parks, or other public grounds in the City of Phoenix.

Any person violating any of the provisions in this section contained shall be guilty of a misdemeanor.

Sec. 65. It shall be unlawful for any person, either wilfully and maliciously or carelessly and negligently to drop, throw, place or scatter upon any street, alley, sidewalk or public place in the City of Phoenix any nails, tacks, broken glass, glass bottles, or any instrument or thing whatever of such nature as to be capable of injuring the feet of horses or the tires of vehicles.

Any person so dropping, placing, throwing or scatter-

ing any such article shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not more than three hundred dollars or imprisonment in the City Jail for a period not to exceed three months, or by both such fine and imprisonment.

Sec. 66. It shall be unlawful for any person, firm or corporation to leave, place or deposit, or cause, permit or suffer to be left, placed or deposited, in or upon any street, alley, curb, gutter or sidewalk, any article or thing whatever so as to obstruct or otherwise encumber the same, provided that this section shall not be construed as to prevent merchants or tradesmen, while receiving or shipping their goods, wares or merchandise, from occupying, for such purpose, one-third of the sidewalk immediately fronting their places of business with such goods, wares or merchandise, but the same shall, in no event, remain longer than two hours upon such sidewalk. And PROVIDING further; that the Commission may, at its discretion, grant a special permit authorizing the use of any portion of any street, alley or sidewalk for a reasonable time and to such extent as it may deem necessary or expedient.

Sec. 67. It shall be unlawful for any person, firm or corporation to place any goods, wares or merchandise or other personal property upon any portion of any sidewalk in the City of Phoenix for the purpose of sale, exhibition or display, nor shall any person, for the purpose of exhibition or display, place any goods, wares or merchandise or other personal property in such manner that said goods, ware or merchandise or other personal property shall extend over or occupy any of the space above over or upon any public sidewalk in the City of Phoenix.

Sec. 68. Any city officer or employe, contractor or other person in the city who shall make any excavation or dig any hole, drain or ditch in any highway or thoroughfare without providing during the night either a sufficient light or a temporary fence or suitable obstruction around in front of the same shall be guilty of a misdemeanor.

Sec. 69. It shall be unlawful for any person to remove, extinguish or destroy any lantern that has been placed upon any public street or sidewalk for the purpose of warning pedestrians or persons traveling in vehicles at night that such street or sidewalk has been closed to public use, and it shall be unlawful for any person to remove, destroy or otherwise interfere with any construction placed upon any public street or sidewalk in the City of Phoenix for the purpose of preventing accident or

warning pedestrians or other persons traveling in vehicles that said street or sidewalk has been closed to travel.

Sec. 70. It shall be unlawful for any person, firm or corporation to erect or maintain any booth, stand or counter on any sidewalk in the City of Phoenix for the purpose of barter, sale or trade, or keep or maintain upon the streets or alleys, any wagon, cart, wheel vehicle, movable booth or stand, for the purpose of barter or trade except by the permission of the Commission first obtained.

Sec. 71. It shall be unlawful for any person, firm or corporation engaged in the construction of any building, or other public or private improvement, to leave any rock, brick, mortar, lumber or any building material of any kind whatsoever on any street, alley or sidewalk for more than three days after the completion of such improvement.

Sec. 72. It shall be unlawful for any person, firm or corporation to drop, place or leave any brick, stone, gravel, sand or building material of any kind or nature whatsoever upon any public street, alley or sidewalk in the City of Phoenix, or to suffer or permit any person in his, their or its employ to drop, place or leave any brick, stone, sand, gravel or building material of any kind whatsoever upon any public street, alley or sidewalk, without immediately removing the same except upon permission of the City Commission first had and obtained.

Sec. 73. It shall be unlawful for any person, firm or corporation to drop, place or leave any goods, wares or merchandise, or any such property of a movable nature whatsoever, upon any street, alley or sidewalk in the City of Phoenix, or to suffer or permit any person in his, their or its employ to drop, place or leave any goods, wares or merchandise, or any such property of a movable nature whatsoever, upon any such public street, alley or sidewalk, without immediately removing the same.

Sec. 74. No person, firm or corporation shall flow, discharge or run, from his or its premises, factory, printing office, residence or place of business, upon any street, alley or public place within the city, any water or waste water, or construct or maintain any channel, ditch, flume or conduit, by means of which, and whereby, said water may be discharged into or upon any street, gutterway, sidewalk, alley or public place, from said premises, factory, printing office, residence or place of business, except by permission of the City Commission first had and obtained.

Sec. 75. No person shall engage in the business of auctioneer or in vending any article, or shall conduct any business whatever, or hold any meeting, or do any act or thing whereby a number of persons shall gather upon any of the sidewalks, streets or alleys of the City of Phoenix without a special permit therefor having first been given by the Commission, and the issuance of a license to such person shall not be deemed to be such permit.

Sec. 76. All persons, firms, companies and corporations are prohibited from running or operating through or upon the streets or alleys of the City of Phoenix, any steam locomotive or cars propelled by steam for the conveyance of passengers or freight, or for any other purpose whatsoever. Nor shall any person, firm, company or corporation lay any track upon any of the streets or alleys of the City of Phoenix to be used for such purposes, provided that this section shall in no way affect the rights of the various railroad companies to use certain streets and alleys of the city under franchises or permits lawfully granted or issued therefor.

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Sec. 77. It shall be unlawful for any person to ride, drive, run or propel any bicycle, tricycle, velocipede or motorcycle upon any sidewalk of the City of Phoenix, or for any person to drive any animal or animals, or any vehicle or vehicles across any vacant lot within the City of Phoenix, or on or across any sidewalk of said City of Phoenix.

Any person violating the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be fined in the sum of not more than $25.00, and in default thereof shall be confined at the City Jail at the rate of one day for each dollar of such fine.

Sec. 78. (a) It shall be unlawful for any person to hitch, fasten or tie any horse or other animal to any tree or shrub which may be standing or growing upon any street, sidewalk, alley or public place in the City of Phoenix, or to hitch, fasten or tie any horse or other animal to any lamp post, awning post, porch post, public hydrant, telegraph pole, telephone pole or trolley pole on any street, sidewalk, alley or public place in the City of Phoenix.

(b) It shall be unlawful for any person to place, fasten, leave standing or tie any horse or other animal on any sidewalk, or at any place or to anything in such manner that said horse or other animal, the vehicle, reins or lines shall obstruct or interfere with the free use of any

street or sidewalk, alley or public place in the City of Phoenix.

(c) It shall be unlawful for any person to graze, or allow to graze, feed or allow to feed, or to run at large, any horses or other animals in or upon any of the streets, sidewalks and alleys of the City of Phoenix.

(d) Any person violating any of the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine in a sum not more than twenty-five dollars or to imprisonment in the City Jail for not more than twenty-five days or to both such fine and imprisonment.

Sec. 79. (a) It shall be unlawful for any person to throw any dirt, gravel, cement, building material or other substance into or upon any gutter in the City of Phoenix or to otherwise obstruct any gutter. Provided, however, that nothing in this section shall relate or apply to contractors or other persons engaged in the paving of streets or the laying of gutters, but such excepted persons shall clean any such gutter upon completion of such construction.

(b) Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in a sum not more than fifty dollars, or be imprisoned in the City Jail for not more than fifty days, or by both such fine and imprisonment.

Sec. 80. The usual ringing of church or other bells may be suspended by order of the Mayor or Board of Health whenever the illness of any person living in the neighborhood of such bell or bells requires such suspension, and any person or persons having the supervision of, or ringing of such bells under his or their control or management, refusing to obey such order, shall be guilty of a misdemeanor.

Sec. 81. (a) It shall be unlawful for any person to turn in a false alarm or use the fire alarm boxes for the purpose of turning in an alarm unless the fire for which the alarm is turned in is within the limits of the City of Phoenix, or is a fire under which the City Fire Department is under contract or obligation to attend.

(b) Any person violating the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than fifty dollars, or by imprisonment in the City Jail for not more than fifty days, or by both such fine and imprisonment.

Sec. 82 (a) It shall be unlawful for any person own-

ing or having charge or control of any horses, mules, asses, meat cattle, sheep, goats or swine to suffer or permit the same or any of them to run or be at large within the City of Phoenix.

(b) The Chief of Police shall impound any such animal found running at large in the public street or upon any public property within the corporate limits of the City of Phoenix.

(c) Any such person who shall suffer or permit any such animal or animals to run or be at large, or who shall take, lead or drive away from the City Pound any such animal so impounded by the Chief of Police, without permission from the Chief of Police so to do, while such animal is in the custody of the Poundmaster, shall be guilty of a misdemeanor.

Sec. 83. (a) The Chief of Police shall keep all animals taken up by him impounded for a period of five days, and if not redeemed before the expiration of that time, he shall cause the animal impounded to be sold at public auction, and the proceeds thereof, after deducting the expenses of impounding and sale, shall be paid to the City Treasurer, to be by him held in trust for the rightful owner.

(b) When the Chief of Police shall impound any animal or animals he shall immediately publish a notice in not less than two issues of the official newspaper of the city and post a notice in three public places in the City of Phoenix. Such notice shall be published and posted for a period of at least five days before sale and shall contain a description of the animal or animals impounded and shall also contain the date and place of sale thereof.

(c) Any animal impounded may be redeemed at any time before sale upon the payment of the following fees and charges: For any horse, mule, cow, steer, jack, jenny, or burro, two dollars; the actual cost of publication; also fifty cents per day for each day such animal is impounded. For any goat, sheep or hog, one dollar; the actual cost of publication; also twenty-five cents per day for each day such animal is impounded.

(d) The City Treasurer shall keep separate and apart from the City Funds the money paid to him by the Chief of Police upon the sales of impounded animals, for a period of ninety days; during that time any person claiming ownership of any animal sold under the provision of this section may make due proof before the City Magistrate as to his ownership, and if the City Magistrate deem the proof sufficient to establish the ownership of

such animal in the claimant he shall in writing order the City Treasurer to pay to such claimant the money in his hands arising from the sale of such animal, and the City Treasurer shall forthwith pay the same to such claimant.

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Sec. 84. (a) It shall be unlawful for any person to stand or serve any jack or stallion to any mare within the City of Phoenix unless the place of such service is surrounded by a wall of sufficient height and construction to effectually screen the enclosure made thereby from view of passers-by or residents or occupants within the immediate neighborhood.

(b) No person shall engage in the business of serving stallions within the City of Phoenix without permission first had and obtained from the City Manager, who shall first examine the premises in which such business is to be conducted, and he shall in no case grant any permit unless the provisions of this Ordinance are fully complied with.

Sec. 85 (a) It shall be unlawful for any dog to run at large in any of the streets, alleys, plazas or public grounds of the City of Phoenix unless tagged and muzzled as hereinafter provided.

(b) Every person desiring to obtain a dog tag for a dog running at large in the City of Phoenix shall pay to the City Collector, at his office, the sum of two dollars for each male dog and the sum of four dollars for each female dog desired to be tagged and procure from him a dog tag as hereinafter provided for; it shall be the duty of the City Collector to furnish every person paying such sum a receipt for each and every payment so made and register the name of the person, the amount paid and the number or numbers of such receipts in a book to be kept by him in his office for such purpose.

(c) The City Collector shall procure and keep in his office such number of metal tags as may be necessary, and of such size and shape as he shall deem expedient, having stamped thereon the words "Phoenix Dog Tax" (the shape of such tags to be changed each year), and as well a set of number dies for stamping and marking such tags, and upon payment to him by any person of the proper sum as herein provided shall issue to each person for each sum so paid one of said tags, after having stamped thereon the number of the same, numbering such tags consecutively in the order of said payments, beginning with the number "one."

(d) Every such dog running at large in any of the streets, alleys, plazas or public grounds of the City of

Phoenix shall have a collar around his neck with the metal tag aforesaid securely fastened thereto, and in such manner as to permit of ready examination.

(e) It shall be unlawful for any dog of known cross or vicious habits to run at large in any of the streets, alleys, plazas, or public grounds of the City of Phoenix without having fastened over his head a muzzle suitable and sufficient to keep and prevent such dog from being able to bite man or beast.

(f) It shall be unlawful for any person owning or having charge, custody, or control of any female dog to suffer or permit such dog to run or be at large, or to be or remain in sight of any persons, or subject to visit or access by male dogs while such female dog is running or in heat.

(g) It shall be the duty of the Chief of Police, any police officer, special policemen or watchman of the City of Phoenix, and of each and all of them, when any dog is found loose or at large upon any of the streets of the City of Phoenix, without the dog tag and muzzle, or the dog tag herein provided for, to immediately capture and secure such dog and remove him to a convenient place, and there keep or dispose of him, as under the circumstances the case be most expedient.

(h) The dog tax issued under this section shall expire and become immediately ineffective as a means of protection to dogs running at large in the City of Phoenix on the 30th day of June of each year.

(i) Any person who allows any dog owned by him, or in his possession or under his control, to run at large in the streets, alleys, plazas or public grounds of the City of Phoenix, in violation of any of the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in a sum not more than twenty-five dollars for each and every such offense.

Sec. 86 (a) It shall be unlawful for any person, or corporation to operate, maintain or control any shooting gallery in any street, alley or vacant lot within the corporate limits of the City of Phoenix, or in or upon any place within the City of Phoenix except an enclosed room or building properly safeguarded to prevent injury, damage or loss to person or property.

(b) It shall be unlawful to fire any rifle or pistol, larger than twenty-two calibre, in any shooting gallery in the City of Phoenix.

(c) Any person violating any of the provisions of this section shall be guilty of a misdemeanor and upon

conviction thereof shall be fined in a sum not more than fifty dollars.

(d) Every day that any shooting gallery shall be run, operated, continued or maintained in violation of the provisions of this section shall constitute a separate and distinct offense.

Sec. 87. (a) Every street railway company or corporation owning or operating cars for the carriage of passengers, freight or otherwise, within the corporate limits of the City of Phoenix shall provide the first car of every train, and every car running singly, with a guard rail or fender on the front of each train or car running singly. Such guard rail or fender shall be so constructed and attached to the car as to prevent any child or adult person from getting under the car in event of his being struck thereby.

(b) Any person, company or corporation owning or operating any street car line or street cars in the City of Phoenix for the carriage of passengers, freight or otherwise who shall violate any of the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be fined not more than two hundred dollars for each and every offense.

Sec. 88. (a) It shall be unlawful for any person, firm or corporation to place, or permit to be placed, on premises owned, occupied or controlled by such person, firm or corporation, or to keep for sale on such premises, more than two tons of loose hay or straw within the fire limits of the City of Phoenix unless the same shall be placed in a barn or other enclosed building.

(b) It shall be unlawful for any person to use any portable light in any building or barn where any combustible material or hay is kept unless such light be so covered, enclosed and protected as to prevent it from coming in contact with or igniting any such combustible material.

Sec. 89. (1) It shall be unlawful for any person, firm or corporation to keep or store calcium carbide within the City of Phoenix, unless the following conditions are complied with: Calcium carbide shall be confined in a can or drum of metal the seams of which must be lock-jointed, air and water tight without the use of solder. Such container must be provided with a screw top or its equivalent, made of sufficient strength to insure handling without rupture, to be kept free from moisture and conspicuously marked "Calcium Carbide—Keep Dry."

(2) (a) All such packages of calcium carbide, of whatever capacity, when stored in quantities not to exceed six hundred (600) pounds, shall be supported upon blocks or legs, or placed or piled upon a rack or racks, of sufficient strength to support the same, and so constructed and placed as to elevate and sustain such packages at least six (6) inches above the floor.

(b) When calcium carbide is kept or stored in quantities exceeding six hundred pounds, it must be in a building used exclusively for that purpose, and the floor of such building upon which the calcium carbide rests shall be at least six inches above the actual existing level of the street, alley or wall upon which such building is located or abutts.

3. (a) A frame building used for the storage of calcium carbide in quantities exceeding six hundred pounds shall be water proof, well ventilated, without artificial light or heat, kept thoroughly dry and must be detached from any other building.

(b) Fireproof buildings used for the storage of calcium carbide in quantities exceeding six hundred pounds shall be well ventilated, without artificial light or heat, kept thoroughly dry and so situated that no door or opening enters directly into any other building.

(c) Any building used for storage of calcium carbide pursuant to the provisions of subdivision (3) of this section shall be conspicuously marked "Calcium Carbide" upon the outside of all entrances thereto.

(4) Any person, firm or corporation keeping or storing calcium carbide in any quantity exceeding six hundred pounds in weight, shall, immediately upon receiving the same, notify in writing the Chief of the Fire Department of the City of Phoenix of the exact location of such place of storage, and the same shall be, at all times, subject to his inspection, and upon compliance with the provisions of this section, he shall approve the same.

(5) Any person, firm or corporation violating the provisions of this section shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined in a sum not more than one hundred dollars.

Sec. 90. (1) The discharge, firing or use of all firecrackers, rockets, torpedoes, Roman candles or other fireworks or substance designed and intended for pyrotechnic display, and of all pistols, canes, cannons, or other appliances, using blank cartridges or caps containing chlorate of potash mixture is hereby prohibited within the special fire limits of the City of Phoenix; provided that the

Commission may order or permit the public display of fireworks within said limits by qualified individuals under the direct supervision of the Chief of the Fire Department.

(2) The sale of fireworks in any premises used for the following purposes is hereby prohibited:

(a) Where paints, oil, gasoline, or other inflammable liquid, tar, pitch, rosin, hay, cotton, hemp, or other combustible fibre or stock or manufactured or kept for sale or storage, or in any carpenter shop or drug store.

(b) Where dry goods of any kind, or other light material of a combustible nature excepting flags, paper lanterns, paper balloons, decorations or newspapers, are kept for sale; these exceptions shall be stored or offered for sale at a safe distance from the fireworks. The Chief of the Fire Department shall have discretionary power in these matters.

(c) On other than a street grade floor.

(d) Where gunpowder, blasting powder or other high explosives are sold, or in any structure considered especially hazardous by the Fire Department.

(3) In buildings or places where fireworks are stored or kept for sale at wholesale, the following regulations, with all others maintained in this section, must be observed, and it shall be the duty of the Chief of the Fire Department, or his authorized agent or deputy, to see that they are complied with:

(a) No fireworks shall be exposed for sale outside of the walls of any building, nor in any doorway or show window, and they must be kept remote from any open flame or fire and the direct rays of the sun.

(b) Lighting must be by electricity (incandescent) or other light acceptable to the Chief of the Fire Department.

(c) Exits, both from front and rear, must be provided and kept open.

(4) Any person, firm or corporation violating any of the provisions of this section regarding the storage and sale of fireworks shall be guilty of a misdemeanor, and, upon conviction, shall be punished by a fine of not more than twenty-five dollars for each and every day such violation continues.

The Chief of the Fire Department may, at his discretion, remove or have removed, at the owner's expense, any and all stocks of fireworks or other combustibles exposed for sale, or held in stock in violation of this section.

Sec. 91. It shall be unlawful for any person, firm or corporation, without first obtaining a special permit from the Commission so to do, to distribute or cause to be distributed, any sample or samples of patent or other medicine, or any concoction or compound having or represented to have any medicinal qualities, at any residence, business house or other public or private place or to any person in any residence, business house or other public or private place in the City of Phoenix; provided, however, that nothing herein shall be construed as prohibiting any duly licensed or established business house in the City of Phoenix from distributing samples of patent or other medicines, or any other concoction or compound having or represented to have medicinal qualities, to any adult person at its place of business when not in conflict with the laws of the United States of America, the State of Arizona or the Ordinances of the City of Phoenix.

Sec. 92. (a) It shall be unlawful for any person to throw, place, scatter, distribute or in any manner deposit upon any street, alley, sidewalk or other place in the City of Phoenix, any handbill, placard, poster, dodger or other notice of advertisement.

(b) It shall be unlawful for any person to paste, fasten, or in any manner affix to any curb or sidewalk of any public street in the City of Phoenix, any drawing, writing, handbill, placard, poster, dodger or notice or advertisement.

(c) It shall be unlawful for any person, firm, association or corporation, to write, paint, post, paste, tack or place within the City of Phoenix any card, sign, notice, handbill, dodger or advertising, without having first paid for and procured a license from the City of Phoenix to conduct and carry on an advertising business, and it shall also be unlawful for any person, firm, association or corporation, whether or not so licensed, to write, paint, paste, post, tack or place any such card, sign, notice, handbill, dodger or advertisement in, on, or upon any tree, post, pole, fence, wall, building, premises or other property owned by, or belonging to, or in charge of another person, firm, association or corporation, without first having obtained from such person, firm, association or corporation, so owning or in charge, custody, or control thereof, written permission so to do, provided, however, that no such license shall be required of any person, firm, association or corporation tacking or posting such legal and public notices as are by law provided or required to be tacked or posted.

(d) Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not more than twenty-five dollars, or by imprisonment in the City Jail for a period of not more than twenty-five days, or by both such fine and imprisonment.

Sec. 93. (a) It shall be unlawful for any person or persons, whether member or members, agent or agents, clerk or clerks, employee or employees, either for himself or themselves or any other person or persons, firms, associations or bodies corporate, or employee or employees, either for himself or themselves or any other person or persons, firms, associations or bodies corporate, or otherwise, or as officers of any corporation, to ask, demand, collect or receive any greater interest upon any loans, advances or indebtedness than the rate of ten per cent per annum, or to ask, demand or receive any promise or agreement, oral or written, requiring or providing for any interest payment in excess of the rate of ten per cent per annum, or to ask, demand or receive any gratuity, reward, payment, commission or thing of value or promise thereof, as for, on account of, or as a condition to the making, effecting or procuring of any advance or loan of money for any other person or persons, firms, associations or corporations, which is or shall be greater in amount or of more worth or value than two per cent of the amount of the advance or loan made, offered or procured.

The provisions of this paragraph shall extend and apply to all persons, firms, association and corporations, other than those carrying on or conducting a pawnbroking establishment within the City of Phoenix and under a city license regularly issued therefor.

(b) Each and every person, firm, association and corporation that shall keep a place of business within the City of Phoenix where money is loaned or advanced upon pledge or deposit of personal property, or pertaining to the sale of goods, wares and merchandise, conditional that the seller may repay for such goods, wares or merchandise at an advanced price, within a limited time, shall be deemed and are hereby designated as pawnbrokers, and shall be, and are hereby required to take out and procure a pawnbroker's license, and to pay the license fees and charges which may or shall be fixed by the City Ordinance, before doing or transacting any business within the City of Phoenix, and it shall be unlawful for any such person, firm, association or corporation, doing business as a pawnbroker within the City of Phoenix, under a pawnbroker's license regu-

larly issued by the city, to ask, demand, collect or receive interest at the rate of more than two per cent per month upon any loans or advances made by him, it or them, or to ask, demand, collect or receive commissions, deposits, storage or other charges which shall increase the said interest charges to more than two per cent per month.

(c) Any person or persons, firm or firms, association or associations, corporation or corporations, that may violate any of the provisions in this section contained, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than $300.00, or by imprisonment in the City Jail for not more than six months, or by both such fine and imprisonment.

Ordinance 131

Sec. 94. (a) No person, firm or corporation shall place or maintain on, over or across any street, sidewalk or alley within the City of Phoenix, any sign or form of advertising matter, bunting or other form of decoration, without first obtaining a permit from the Commission of the City of Phoenix.

(b) All advertising signs, other than electric, hereafter placed, shall be of a non-combustible material and may be attached parallel to any buildings provided they do not extend over the sidewalk more than four inches from the building; and,

Ordinance 417

Provided further, that enameled sheet metal signs not to exceed fourteen inches in width and eighteen inches in length may be affixed to the side wall of any building and at right angles thereto, which said sign is used for the sole purpose of giving information or warning to tourists or travelers and not for the purpose of advertising goods, wares and merchandise; and,

Provided further, that no such sign shall be placed on any building or structure without a permit from the City Manager.

Parallel with, and on the street side of porch posts, cloth or other material may be used for signs, but such signs shall not be less than eight feet above the sidewalk nor higher than the bottom of the second story porch floor or roof.

(c) All awnings hereafter placed shall be at least eight feet above the sidewalk. The roof and face of awnings parallel with the street may be used for signs.

Ordinance 131

(d) It shall be unlawful for any person, firm or corporation to place or maintain any awning or sign (excepting cloth signs), that weigh more than twenty-five pounds, on any building, porch, porch post, without hav-

ing first obtained a permit from the Building Inspector, for which a fee of one dollar shall be charged to cover the cost of inspection, and all such awnings and signs shall be properly fastened and braced against wind under the direction and approval of the Building Inspector.

(e) No advertising matter of any kind shall be placed at block corners inside of street intersections, or at alley and street intersections, and must not extend beyond the continuation of proper lines without the consent of the Commission in writing first had and obtained, and then only on such conditions as the Commission may require.

(f) All signs and other forms of advertising devices now placed on, over or across any sidewalk, street or alley, that do not conform to the requirements of any of the provisions of this section are now and hereby declared to be obstructions and nuisances, and it shall be the duty of every person, firm or corporation now maintaining and having any such sign or advertising device on, over or across any such sidewalk, street or alley, to remove the same within twenty-four hours after being notified so to do by the Building Inspector. And any such person, firm or corporation failing to comply with such notice shall be guilty of a misdemeanor and punishable as hereinafter provided.

(g) Any person violating any of the provisions of this section shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined in a sum not more than fifty dollars, or be imprisoned in the City Jail for a period not more than fifty days, or by both such fine and imprisonment, and each and every day during which any violation of the provisions of this section continues shall constitute a separate offense.

Sec. 95. (a) No sign, transparency, advertisement or sign device, intended to be used in connection with electricity, shall be hereafter constructed, placed, reconstructed, or allowed on or about the exterior of any building or other structure, or on or over any sidewalk or public thoroughfare unless drawings to scale of the proposed signs together with such information relative to the dimensions, position and structure of such signs as may be required shall have been first submitted to the Inspector of Electricity and a permit shall have been obtained for the erection thereof.

(b) It shall be the duty of the Inspector of Electricity, upon the filing of drawings and specifications as provided in subdivision (a) to examine such drawings

and specifications and if necessary, the premises upon which it is proposed to erect the sign, and if it shall appear that the proposed sign is in accordance with all ordinances regarding its dimensions, position, fireproof qualities and structural safety and security, the Inspector of Electricity shall issue a permit for the erection of the sign. During and after the completion of the erection of the sign, the Inspector of Electricity shall cause the same to be inspected, and if upon inspection it is found that the sign is in accordance with all ordinances regarding its dimensions, position, fireproof qualities and structural safety and security, a certificate shall be issued by the Inspector of Electricity approving the sign.

(c) The firm, person, association or corporation constructing or installing or causing the construction or installation of any electric sign, or the reconstruction or alteration of any sign, shall before issuance of a certificate of satisfactory inspection, pay to the Inspector of Electricity the following fees:

For each sign of 660 watts consumption or less, a fee of two ($2.00) dollars will be charged, and one ($1.00) dollar per 660 watts or part thereof in excess of 660. For outline lighting and similar installation where outlets are within eighteen (18) inches, a fee of two and one-half (2½) cents per outlet; and where from eighteen (18) to twenty-four (24) inches, five (5) cents per outlet, and further than twenty-four (24) inches, ten (10) cents per outlet shall be charged.

(d) No sign shall be placed in front of any fire escape or standpipe, across or in front of any exterior window, or other exterior opening in any building above the first story, except such sign be a swinging sign.

Ordinance 108

(e) No sign illuminated by electricity shall be erected unless such sign is listed and approved by the National Board of Fire Underwriters. That all electric signs must be provided with not less than one lamp of four c. p. per square foot of sign surface, except that smaller or larger lamps may be used provided that the equivalent of four c. p. per square foot of sign surface is maintained.

(f) From the sidewalk up from seven and one-half (7½) feet to ten (10) feet, no sign or device of any description shall project more than twelve (12) inches from the building line. For the purpose of this Ordinance, the terms "Front of Building" or "Building Line" shall be construed to mean the general outer surface of the main wall of the building facing the street or alley.

EXCEPT in the case of bay windows or pillars projecting beyond the main wall of the building, the outer surface of such windows or pillars shall be considered the face of the building at these points.

(g) In the case of signs ten (10) feet and higher from above the sidewalk, subsections Nos. h, i and j must be observed.

(h) Flat or curved electric signs fastened for their whole length with their illuminated plane parallel to the front of the building, shall not project therefrom over the sidewalk more than twelve (12) inches when placed less than ten (10) feet above the sidewalk, nor more than eighteen (18) inches when placed more than ten (10) feet above the sidewalk. Such signs may extend to a height of twenty-five (25) feet.

(i) With the exception of vertical signs and signs provided for in subsection 8, no pendant or swinging sign or signs extending outward from the building shall be more than thirty-six inches in depth, or more than seven (7) feet in vertical height; and where placed from ten (10) to twelve (12) feet from the sidewalk, must not extend outward from the building line more than eight (8) feet; and where placed from twelve (12) to eighteen (18) feet from the sidewalk, signs must not extend outward from the building line more than twelve (12) feet; and where placed farther than eighteen (18) feet from the sidewalk, signs must not extend farther than eight feet from the building line. Vertical incandescent electric light signs, which are signs consisting of a vertical row of letters, or a vertical sign device, illuminated with incandescent electric lamps, with the illuminated plane perpendicular to the face of the building, shall not be less than twelve feet from the sidewalk, and shall not project more than six (6) feet from the building line, but may extend to any height not exceeding the wall or that part of the building that sign or device is thereto attached.

(j) Where permanent porches or awnings exist, electric signs may be attached to the columns or supports on the street side of the same, provided that signs run parallel with the curb line and shall not extend more than twelve (12) inches beyond the sidewalk line, and further provided that no sign shall be more than twelve (12) inches in depth, or more than eight (8) feet in vertical height, and that no part of sign shall be less than ten (10) feet from above the sidewalk.

(k) Wires on the outside of sign structures and for outlining or decorative lighting must be run in approved

metal conduits or armored cable, and all fittings must be approved by the proper officers of the city.

(l) Feeds for signs run along or over roofs of building must be supported on trestles, eight (8) feet above the roof or in approved metal conduit or armored cable, and switch for same may be installed on pole in alley in iron cabinet or connected to main line switch in building.

(m) Where switches for signs and outlining are installed on street side of building, double pole snap switches up to 250 volts and thirty amperes must be used. Above 250 volts and thirty amperes, approved double pole switches must be installed in cabinets. When possible, these switches must be installed seven (7) feet above the sidewalk, and where installed less than seven (7) feet, they must be placed in approved lock iron cabinets, approved D. P. flush switches may be used instead of snap switches.

(n) Under this class of work, 1320 watts will be allowed on one circuit, provided that no circuit exceeds twelve (12) amperes, and when more than 660 watts are on a circuit, nothing smaller than Number twelve (12) wire will be used.

(o) Signs must be completely installed, ready for service before same will be approved.

(p) Wires within structures of signs must be double braided, rubber covered, and may be carried within one-half (½) inch of each other and surrounding metal. Where such spacing is impracticable, such wires may be cabled, if one-half (½) inch clearance from surrounding material is maintained and if cable contains wires of only one polarity. Wires must soldered to terminals or receptacles and exposed parts treated to prevent corrosion.

(q) Signs must be constructed entirely of sheet metal not lighter than No. 26, B. & S. guage, galvanized enameled, or treated with at least three (3) coats of anti-corrosive paint or compound and braced with angle irons of such thickness so placed as to secure sufficient strength and rigidity; bottom of sign must be provided with holes sufficient to provide for drainage. Braces or other supports attached to signs shall be of metal and of sufficient strength to adequately sustain the same.

(r) Any person, firm or corporation violating any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction therefor, fined

in the sum of not more than fifty (50) dollars, or by imprisonment in the City Jail for a period of not more than fifty (50) days, or both such fine and imprisonment.

Sec. 96. (a) It shall be unlawful for any person, corporation or association, or their officers, agents or employees, to dig, excavate, alter, obstruct or change, or to cause any digging, excavation, alteration, or change to be done or made in, over, under, along, across or upon any of the sidewalks, streets, alleys, parks or other public grounds or places within the corporate limits of the City of Phoenix, or to plant, lay, place, set, build, construct, remove, alter or change any trees, sidewalks, street pavements, telephone lines, wires, poles, or conduits, telegraph lines, wires, poles or conduits, electric power or electric light wires, poles or conduits, water mains, hydrants or pipes, sewer mains, manholes or pipes, gas mains, pipes or conduits, steam, electric or other railways, railway tracks, lines, ties or rails, switches or sidetracks, bridges, flumes, culverts, drains or ditches, or any other class or kind of work, material, structure or construction, in, upon, over or under such sidewalks, streets, parks, alleys and public grounds, without first obtaining permission so to do from the City Manager.

(b) The City Manager may require any application for permission to do or perform any one or more of the acts or things enumerated in paragraph 1 of this section to furnish a map or diagram showing the place, character and extent of the proposed work, and may refuse permission to do or perform the same whenever in his opinion the best interests of the public would be served by such refusal, and the City Manager may, at his discretion grant permission to do or perform any such acts or things, in, upon, over, or under, the sidewalks, streets, alleys, parks, public grounds, and places, except such as may be prohibited by law or Ordinance, whenever in his opinion the best interests of the public will be served thereby, and may prescribe such reasonable conditions thereto as he may from time to time determine. And as a condition to the granting of such permission, the City Manager may require of such applicant security in such form and amount as the City Manager may determine, conditioned that the contemplated work shall be done and performed within such reasonable time as the said City Manager may prescribe, and that the applicant shall repair and place and maintain in a good condition and state of repair, and to the satisfaction of the City Manager, the streets, alleys, sidewalks, parks or other public grounds or places, or such

portions thereof as may be dug, excavated, altered or changed by the doing or performance of said proposed work, and shall hold and keep the City of Phoenix harmless from or by reason of any act or thing done or performed by such applicant under said permission.

(c) Each person, firm, association or corporation violating any of the provisions of this section shall be guilty of a misdemeanor.

Sec. 97. (a) Anything which is obnoxious to health, or is indecent, or is offensive to the senses, or is an obstruction to the free use of property so as to interfere with the comfortable enjoyment of life or property by any considerable number of persons, or unlawfully obstructs any public street, alley, sidewalk or highway is hereby declared a nuisance and may be abated by order of the City Court.

(b) Every person who commits or maintains a nuisance shall be guilty of a misdemeanor.

Sec. 98. (a) On all streets and alleys, all poles, posts, trees, hitching rings, awnings on porch posts, service hydrants and all other constructions extending above the grade of the sidewalk, shall be placed so that the same will be six inches from the inside of the outer edge of the curb, saving and excepting in the case of fire hydrants which may be set otherwise if so directed by the City Manager; provided, however, that on all streets and alleys, where iron poles are used, the same shall not exceed eight inches in diameter and may be placed in such manner that they shall be not to exceed ten inches from the inside of the outer edge of the curb.

(b) All telephone and telegraph poles on all streets and alleys of the City of Phoenix shall be placed on the south side of all streets and alleys running east and west and on the east side of all streets and alleys running north and south, and all poles carrying electric power either for lighting or power purposes shall be placed on the north side of all streets and alleys running east and west and on the west side of all streets and alleys running north and south. Provided, however, that all poles shall be placed in alleys wherever possible and shall be only placed on streets where no alley is available or where it is necessary to run wires along the street or portion thereof to reach their destination or the place where the power or current is to be delivered.

(c) On streets and alleys underground conduit for telephone wires must be of the same size as directed in the preceding paragraph and at a depth of two feet to three and one-half feet below the established grade, and on al-

leys two and one-half feet from the outer edge of the curb and on streets four and one-half feet from the outer edge of the curb.

(d) On all alleys less than twenty feet in width all poles shall be placed touching the property line and underground conduits shall be placed two and one-half feet from the property lines; provided, however, that all conduits shall be placed in alleys wherever possible and may be placed in streets only where it is necessary to run wires along the street or portion thereof to reach their destination or the place where power or current is to be delivered.

(e) The setting and placing of all poles and the excavation of and construction of all conduits shall be under the direction of the City Manager and shall be of such material and dimensions and set or constructed in such a manner as may be required by him.

(f) No telegraph, telephone, electric light or electric power wires shall in any manner be attached to or connected with any public or private building or porch awning within the city except as may be necessitated by their actual use by the owners or occupants of such building or structure, and then only by direct connection with the wires upon or from the poles upon which they may be hung.

(g) All telegraph, telephone or electric light or electric power poles within the city shall be dressed or planed and painted and shall be of such height and so placed that the lowest wire thereon shall not be less than twenty-five feet above the grade of the street.

(h) Any person, firm or corporation violating any of the provisions of this section shall be guilty of a misdemeanor and each day's continuation thereof shall constitute a separate offense.

Sec. 99. (a) No person shall dig, or cause to be dug, in, near or adjoining any public street or alley in the City of Phoenix, any vault, area, coal hole, basement, stairway, elevator shaft, cellar, or other opening without first obtaining a permit from the City Manager of said city so to do, and all such vaults, areas, coal holes, basements, stairways, elevator shafts, cellars or other openings dug, in, near or adjoining any public street or alley, shall not be permitted or suffered except as authorized by competent authority.

(b) All vaults, areaways, coal holes, basements, elevator shafts, cellars, or other openings now dug in, near or adjoining any public street or alley, or that may hereafter be dug in, near or adjoining any public street or alley, shall

at all times be securely covered and protected with a grating or other covering or protection in such manner as to prevent persons, animals or vehicles from falling therein; which grating or other covering shall conform to the provisions of existing Ordinances of the City of Phoenix relating to the placing of poles in public streets or alleys; nor shall any person, keep, maintain or leave open, any cellar door, grating or stairway in any vault, cellar, basement, area, coal hole, elevator shaft, or other opening in, near or adjoining any public street or alley, nor shall any person suffer or allow any such cellar door, grating, stairway, in front or along side of any house, building, lot or premises, owned or occupied by him, to remain in an unsafe or insecure condition or out of repair.

(c) No opening to any stairway occupying any portion of any public street or alley in the City of Phoenix, shall occupy more than ten (10) feet of any such street or alley, measured along the building line abutting on such street or alley; and no such stairway shall be suffered or permitted to occupy any portion of any street or alley, unless the same is enclosed with an iron railing not less than three (3) feet in height, securely fastened to the building; which stairway shall be set to conform with the provisions of the existing Ordinances of the City of Phoenix relating to the placing of poles in public streets or alleys; and no such stairway shall be permitted or suffered to be placed in any such street or alley without a permit being first obtained from the City Manager.

(d) Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor.

CHAPTER V.

OFFENSES AGAINST PROPERTY.

Sec. 100. It shall be unlawful to break or destroy any window, door or part of any dwelling owned or occupied by another, or to break or sever from any premises owned or occupied by another, any gate, fence, railing, tree, brush or vine, or any other property whatsoever, or to deface, mutilate or injure the same.

Sec. 101. It shall be unlawful for any person to negligently, wilfully or maliciously girdle, pull down, break, cut or in any manner injure trees or shrubbery growing and being upon any plaza, park, street or along the margin of any street or sidewalk, within the limits of the City of Phoenix.

Sec. 102. It shall be unlawful for any person to deface any public urinal or water closet by writing or draw-

ing thereon, or by painting or pasting thereon, or attaching thereto any handbill or advertisement or other drawing, or to scratch, mar, disfigure or defile such urinal or water closet, or the floor or walls thereof.

Section 103. (a) It shall be unlawful to keep or maintain any cattle, swine, or goats within the corporate limits of the City of Phoenix without the permission of the Commission first had and obtained. Any person desiring such permission shall file with the City Clerk his application in writing and the City Clerk shall submit the same to the Commission at its first meeting thereafter. Upon the granting of such permission by the Commission the Clerk shall so certify to the applicant and such certificate shall be sufficient authority to permit such applicant to keep cattle, swine or goats within the corporate limits of the city, provided, however, that such animals kept within the City of Phoenix shall be kept in an enclosure sufficient to prevent the same from wandering upon the property belonging to others and provided also that the premises upon which such animals are kept shall be always sanitary and subject to inspection and regulation by the City Health Officer, and any such permit shall be revocable at any time at the option of the Commission. Ordinance 220

(b) It shall be lawful for any person or persons to keep and maintain poultry, fowls, rabbits or guinea pigs within the corporate limits of the City of Phoenix and a permit is herewith given to any such person or persons to keep or maintain the same, but only in the manner and upon the conditions herein set forth, and not otherwise.

(1) Such poultry, fowls, rabbits and guinea pigs kept within the corporate limits of the city shall be kept in an enclosure forty (40) feet, or more, from any residence, dining room, and sleeping room, and sufficient to prevent said poultry, fowls, rabbits and guinea-pigs from wandering upon property belonging to others.

(2) The premises upon which such poultry, fowls, rabbits and guinea-pigs are kept shall be always sanitary and subject to inspection and regulation by the City Health Officer.

(3) In case such poultry, fowls, rabbits or guinea-pigs shall in any manner annoy or disturb the peace, comfort, health, convenience or enjoyment of any person or persons residing within three hundred (300) feet of the enclosure described herein, the permit herein granted, upon complaint of any such person or persons, shall be forthwith revoked by the Commission, unless the grounds of complaint shall be immediately removed.

(c) Any person violating any part of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not less than Ten ($10.00) Dollars, nor more than Fifty ($50.00) Dollars, or by imprisonment in the City Jail for a period of not less than Ten (10) days, nor more than Fifty (50) days, or by both such fine and imprisonment.

Sec. 104. It shall be unlawful for any person to build, construct or erect within the corporate limits of the City of Phoenix any fence or barbed wire, brush or branches of trees. Any fence built of barbed wire, brush or branches of trees shall be removed within twenty days after notice by the Chief of Police given to the owners or occupants of lots on which such fences are built, and if not so removed the Chief of Police shall remove the same at the cost of the owner of such lot or lots and the expenses thereof shall be charged as taxes and become a lien against the property, and collected as taxes are collected. Any person building, constructing or erecting any such fence or refusing to remove from any premises owned, occupied or controlled by him, any such fence or fences shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than fifty dollars or by imprisonment in the City Jail for a period not to exceed fifty days or by both such fine and imprisonment.

Sec. 105. (a) All persons owning or occupying any building, grounds or premises within the limits of the City of Phoenix are hereby required to remove therefrom all dirt, debris, rubbish, garbage, weeds and brush, and from all sidewalks adjacent thereto; and are hereby required to keep and maintain the same free and clear of all dirt, debris, rubbish, garbage, weeds and brush.

(b) Should any such owner or occupant of any building, grounds or premises within the City of Phoenix fail, neglect or refuse to forthwith remove from said buildings, grounds or premises, or from the sidewalk adjacent thereto, any dirt, debris, garbage, rubbish, weeds or brush; or should any such owner or occupant fail to keep and maintain any such building, grounds, or premises, or any sidewalks adjacent thereto, free and clear of any dirt, debris, rubbish, garbage, weeds or brush, then the City Manager is hereby authorized and directed to remove or destroy, or cause to be removed or destroyed, any and all such dirt, debris, rubbish, garbage, weeds or brush, at the expense of such owner or occupant; and the City Manager is hereby directed to forthwith prepare a verified statement and account of all expenses incurred in or occasioned

by or incident to such removal and destruction, or either of them, and to file such verified statement and account with the City Assessor and ex-officio City Collector.

(c) All such expenses incurred in connection with, or incident to such removal and destruction, or either of them, and as fixed and determined by said verified itemized statement and account filed with the City Assessor and ex-officio City Collector, and is hereby declared as a tax lien upon such buildings, grounds and premises; and shall be charged and assessed upon and against such buildings, grounds and premises, and shall be collected at the same time and in the same manner as other city taxes are collected.

(d) Every owner or occupant of any buildings, grounds or premises within the city who shall fail, neglect or refuse to remove from any such buildings, grounds or premises owned or occupied by him, or from the sidewalk adjacent thereto, any dirt, debris, rubbish, garbage, weeds or brush, or who shall fail, neglect or refuse to keep and maintain the same or any of them free and clear of any and all dirt, debris, rubbish, garbage, weeds or brush, shall also be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not more than fifty dollars, or by imprisonment in the City Jail for a term not exceeding thirty days, or by both such fine and imprisonment.

Sec. 106. Whenever, in the opinion of the Commission of the City of Phoenix any building, wall or smoke stack, chimney or other appurtenance to any building, is, from any cause whatever, in a condition dangerous to persons or property, it shall be the duty of the City Manager, when requested by the Commission, to notify the owner, or agent of the owner in writing, specifying wherein such danger consists to forthwith put the same in a safe condition and in event the owner, or his agent, neglects or refuses for the space of twenty-four hours after service of such notice to comply therewith, such owner or agent shall be guilty of a misdemeanor and it shall be lawful for the City Manager to pull down such dangerous building, wall, smoke stack, chimney or other appurtenance or to make such repairs thereon as may be necessary to put such structure in a safe condition.

All expenses incurred in connection with, or incident to the repair or removal of any dangerous wall, building, smoke stack, chimney or other appurtenance to any building by the City Manager shall be incorporated and set forth in a verified itemized statement of such expenditure

and such verified, itemized statement shall be filed with the City Assessor and ex-officio City Collector and shall become and be a lien upon the premises upon which such building, wall, smoke stack, chimney or other appurtenance is situated, in the same manner and with the same effect as taxes become a lien immediately upon the filing of such verified, itemized statement, and shall be charged and assessed upon and against such premises and shall be collected at the same time and in the same manner as taxes are collected.

Sec. 107. A tree line is hereby established upon all streets in the City of Phoenix, as follows: On all streets one hundred feet in width and upwards, the tree line shall be and is hereby established at a distance of thirteen feet from the property line toward the center of the street; on all streets from eighty to under one hundred feet in width the tree line shall be and is hereby established at a distance of eleven feet from the property line toward the center of the street; on all streets sixty to under eighty feet in width the tree line shall be and is hereby established at a distance ten feet from the property line towards the center of the street.

It shall be unlawful for any person or persons to plant any trees upon any of the streets of the City of Phoenix except upon the tree lines as herein established; and any person planting any tree or trees upon any street in the city at any place other than upon the tree line shall be guilty of misdemeanor.

Sec. 108. Every person trespassing upon the premises of any person or corporation within the limits of the City of Phoenix shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed twenty-five dollars.

Sec. 109. Every person, firm, association or corporation who shall in any way interfere with the officers of the Water Department or Plumbing Inspector of the City of Phoenix in the discharge of their duties, either in the tapping of the sewer pipe, main or lateral belonging to the City of Phoenix, or the laying or connecting of any such pipe, main or lateral, or who shall dig up or cause to be dug up, any street or alley in the City of Phoenix for the purpose of connecting with the sewer system of the city without first obtaining a permit from the City Manager so to do, or who, having a permit so to do shall dig up any portion of any street or alley of the City of Phoenix for the purpose of connecting with the sewer system of the city, shall fail or neglect to place said street or alley in its origi-

nal condition, under the supervision of the said Superintendent of the Water Works, and as required by him, shall be guilty of a misdemeanor and upon conviction thereof, shall be fined in a sum not more than fifty dollars, or by imprisonment in the City Jail for not more than fifty days or by both such fine and imprisonment.

Sec. 110. Every person who, with intent to injure or defraud, connects or causes to be connected, any pipe, tube, or other instrument, with any main, service pipe or other pipe, or conduit or flume for conducting water belonging to or within the City of Phoenix, for the purpose of taking water from such main, service, pipe, conduit or flume, without the knowledge or consent or permit from the proper officer or authorities of the City of Phenix, and with intent to evade payment therefor, is guilty of a misdemeanor.

Sec. 111. Every person who shall, without permission of the owner thereof, take any automobile, bicycle, motorcycle or other vehicle of any kind whatever, for the purpose of temporarily using or operating the same shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not exceeding two hundred dollars, or by imprisonment in the City Jail for a period not exceeding three months, or by both such fine and imprisonment.

Sec. 112. Every person who purchases or receives in pledge or by way of mortgage, from any person under the age of eighteen years, any junk metal, mechanical tools or implements, is guilty of a misdemeanor.

Sec. 113. Every person who steals, takes or carries away the personal property of another without the knowledge or consent of the owner and with intent of appropriating it to his own use is guilty of a misdemeanor and is punishable by a fine not to exceed the sum of three hundred dollars or by imprisonment in the City Jail for a period not to exceed six months or by both such fine and imprisonment.

Sec. 114. Every person who, for his own gain, or to prevent the owner from again possessing the property, buys or receives any personal property, knowing the same to have been stolen, is guilty of a misdemeanor. And it shall be presumptive evidence that such property was stolen, and that the person buying or receiving the same had knowledge thereof if the same consists of jewelry, silver or plated ware, or articles of personal adornment, if purchased or received from a person unless such property is sold by such minor at a fixed place of business carried on by such minor or his employer.

Ordinance 259

Sec. 115. The driver of any vehicle, either driven by motor or animal power, or the person in control thereof, who shall drive or cause to be driven such vehicle over or across any hose laid on or across any street, alley or public place in the City of Phoenix by the Phoenix Fire Department, while engaged in extinguishing any fire or engaged in drill, or for any other purposes, or laid on or across any street, alley or public place in the City of Phoenix by the City Street Department while engaged in cleaning the streets, or for any other purpose, or who shall drive over or injure or destroy any lantern or other light placed by said Street Department on any street, alley or public place, shall be guilty of a misdemeanor.

Sec. 116. Any person who shall in any manner wilfully injure, deface or mar any engine, hose, hose wagon, hook, ladder, rope, bucket, uniform or any property of any sort whatever belonging to or used by the Fire Department of the City of Phoenix shall be guilty of a misdemeanor.

Sec. 117. Any person who in any manner wilfully obstructs, injures or interferes with any well, pump, ditch, hydrant, plug or any other means of water supply of the City of Phoenix or who obstructs, injures or interferes in any manner with the use of the same, shall be guilty of a misdemeanor.

Sec. 118. Every person, partnership, association or corporation that carries on the business of buying and selling second hand goods, who fails, at the time of the transaction, to enter in a register to be kept for that purpose, in the English language, an accurate description of the property bought together with the name and place of residence of the seller, is guilty of a misdemeanor, and every such dealer in second hand goods who fails or refuses to produce such register for the inspection of the Chief of Police or any police officer of the city, or to produce for inspection by the Chief of Police or any police officer or any person having an order from the Chief of Police for the production of such articles for inspection any article or second hand goods bought by him and in his possession shall be guilty of a misdemeanor.

Sec. 119. It shall be unlawful for any person, firm or corporation to construct any sidewalk, gutter or curb of cement or concrete within the corporate limits of the City of Phoenix unless the grade of such sidewalk, gutter or curb has been established by the City Engineer of said City of Phoenix, provided, that it shall be the duty of the City Engineer, upon demand being made in writing by all the owners of property fronting on any one block, to furnish

the grades for any such sidewalks, gutter or curb within thirty days after such demand in writing.

Sec. 120. (a) It shall be, and it is hereby made unlawful for any person, whether owner, contractor or otherwise, to lay or cause to be laid, any sidewalk on any public street or alley, unless the same be laid according to the lines and official grades for such work, as furnished by the City Engineer of the City of Phoenix, and in accordance with the specifications for such work approved and adopted by the Commission of the City of Phoenix.

(b) It shall be and is hereby made the duty of the said City Engineer to furnish, upon request to any owner whose property abuts upon, or is contiguous to any street that is to be improved by the laying of a sidewalk, or to the contractor who is to lay said sidewalk, the lines and grades established for such sidewalks by the City of Phoenix.

The City Engineer shall not furnish the lines and grades for the laying of any sidewalk after the passage of a resolution of intention to improve any street by laying a sidewalk, when such sidewalk is to be laid under the provisions of the "Improvement Act 1912."

It shall be, and it is hereby made the duty of the said City Engineer at once upon receiving instructions from the City Commission authorizing the preparation and a resolution of intention providing that a sidewalk be laid in front of, or abutting on their property, to notify all property owners in writing that after the expiration of thirty days, the said City Commission intends to and will improve the street abutting their said property, describing same, by laying, or causing to be laid, a cement concrete sidewalk, specifying the width thereof, and if within the said period of thirty (30) days any property owner shall desire to construct his sidewalk by private contract, it shall be the duty of the said City Engineer to furnish such property owner with the proper lines and grades for such sidewalk, as established by the City of Phoenix.

(c) Any person, whether owner or contractor, who shall lay or cause to be laid any sidewalk on any public street or alley in the City of Phoenix in violation of the provisions of this Ordinance, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum of not more than fifty dollars ($50.00), or by imprisonment in the City Jail for a period of not more than (50) days, or by both such fine and imprisonment.

Sec. 121. (a) It shall be, and is hereby made unlawful for any person, firm or corporation to complete the

construction of any concrete sidewalk within the corporate limits of the City of Phoenix without first stamping or impressing by a stencil every one hundred feet of concrete work with his, their or its name in legible letters, or where such concrete sidewalk is less than one hundred (100) feet in length, at each end of such sidewalk. The size and form of such stencil to be approved by the City Engineer and the City Engineer shall not give any additional lines or grades to any person, firm or corporation who shall fail or refuse to stamp or impress his, their or its name in the concrete sidewalk as herein required until the name of such person, firm or corporation has been stamped or impressed by removing and relaying the squares of concrete sidewalk where the name of such person, firm or corporation should have been stamped or impressed, or otherwise, as the City Engineer may require.

(b) It shall be and it is hereby made unlawful for any person, firm or corporation to complete the construction of any curbs at the intersection of any streets, or avenues within the corporate limits of the City of Phoenix without first stamping or impressing with a stencil the name of the street or avenue in legible letters upon the top face of the curb and facing the street, the size and form of such stencil to be approved by the City Engineer and the City Engineer shall not give any additional lines or grades for the laying of any curb to any person, firm or corporation who shall fail or refuse to stamp or impress the name of the streets or avenues on the curbs as herein required until the name of such streets or avenues have been so stamped or impressed in such curb, either by removing sufficient of such curb necessary to comply with the provisions of this section, or otherwise, as the City Engineer may require.

(c) Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction, be fined in a sum not more than fifty dollars or be imprisoned in the City Jail for not more than fifty days, or by both such fine and imprisonment.

REGULATION OF BUSINESS.

CHAPTER VI.

Sec. 122. For the purpose of this section the following definitions are adopted:

(a) Every vehicle used for the conveyance of goods, packages, freight, baggage or household goods from place to place within the corporate limits of the City of Phoenix for hire, except vehicles used by merchants or tradesmen

exclusively for the delivery of their wares to customers, shall be deemed a job wagon.

(b) It shall be unlawful for any person having charge or control of any job wagon to occupy as a stand for the same any portion of any street without first obtaining a special permit from the City Commission and the written consent of the owner or tenant, if any, as the case may be, of the premises fronting on the portion of the street to be occupied by a stand; provided that no permit shall be granted, and it is hereby made unlawful for any person having charge or control of any job wagon to occupy as a stand any portion of Washington Street between the West line of Second Street and the East line of Second Avenue, or any portion of Central Avenue between the North line of Madison Street and the north line of Van Buren Street; and further provided, that nothing in this section shall prevent the owner or driver of any job wagon from stopping at any place, other than a public crossing on any street, from one sidewalk to another for the purpose of receiving or delivering any goods, wares or merchandise.

Sec. 123. (a) For the purpose of this section a market wagon shall be deemed a vehicle used for the conveyance of firewood, vegetables, dairy or farm products or merchandise for the purpose of vending the same therefrom.

(b) It shall be unlawful for any person having charge or control of any market wagon to occupy as a stand for the same any portion of any street in the City of Phoenix, except the East side of Second Avenue between Washington and Jefferson Streets; the North side of Jefferson Street between First Avenue and Second Avenue; the West side of First Avenue between Washington Street and Jefferson Street; the East side of First Street between Washington Street and Jefferson Street; the North side of Jefferson Street between First Street and Second Avenue; the West side of Second Street between Washington Street and Jefferson Street.

(c) The Superintendent of Streets shall mark off spaces on the streets in the preceding paragraph designated, ... feet in width each of which spaces shall be considered a stall or stand for one market wagon, and the stalls so created shall be auctioned off to the highest bidder and the successful bidder shall, upon paying the sum bid therefor, to the City Assessor and ex-officio City Collector, be allotted such space as his stand and shall use the same, and no other, for a period of three months and

shall thereafter on the first day of each and every month of his occupancy thereof pay to the said City Assessor and ex-officio City Collector, the sum of fifty cents and all moneys paid to, and collected by the said City Assessor and ex-officio City Collector shall be paid by him into the City Treasury. Upon the payment of the purchase price of a stall, the said, the City Assessor and ex-officio City Collector, shall issue to the buyer a receipt therefor which said receipt shall be taken and considered as a permit to occupy said stall and no other person shall use the same, provided, however, that in the event of the failure of the purchaser of a stall to pay the sum of fifty cents a month as hereinbefore provided the same shall, within ten days after the first day of the month, be deemed vacant and it shall be sold to the highest bidder after notice of such sale having been posted at such stall for a period of at least three days prior to such sale.

(d) The Public Market hours shall be from 12 o'clock midnight until 12 o'clock noon, of every business day, except Saturdays, which said market hours on Saturdays may continue to 9 o'clock P. M., and it shall be unlawful for any person, firm or corporation to thereat sell or offer to sell, his goods, wares, and merchandise, other than during the hours above specified.

(e) Every person using any street, alley or public place in the City of Phoenix as a stand for a market wagon other than the places herein designated, or any person using or occupying any of the stalls herein provided without having purchased the same or having a permit to occupy a stall, who attempts to, or uses a stall belonging to another without his permission in writing, shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine not to exceed twenty-five dollars or by imprisonment in the City Jail for a period not to exceed twenty-five days or by both such fine and imprisonment, and each and every attempt to so use a stall shall be a separate offense.

(f) Nothing in this section contained shall be so construed as to prevent a bona fide farmer from selling the produce of his farm from house to house in the residence districts of the City of Phoenix.

Sec. 124. When any such peddler, huckster, or owner of any job wagon shall have paid his quarterly license, the City Assessor and ex-officio City Collector shall furnish him with a card the color of which shall be determined by the City Assessor and ex-officio City Collector, bearing the date in large type of the expiration of the quarter for

which the license has been paid and such card shall be displayed upon the wagon during said quarter.

The term job wagon shall include all vehicles, including automobiles used for the conveyance of goods, packages, freight, baggage or household goods from place to place within the city for hire, except vehicles used by the merchants exclusively for the delivery of their wares to customers.

Any person who shall violate the provisions of this section by failing to display the card on his vehicle as herein provided shall be guilty of a misdemeanor.

Sec. 125 (1) The words and phrases used in this section shall, for the purpose of this section, unless the same be contrary to or inconsistent with the text, be construed as follows:

(2) (a) "Collection Agency" shall include every person, firm or corporation carrying on a business of collecting debts; or purporting to be a debt collector; and who carries on such business for profit. A person regularly employed on a salary by any person, firm or corporation to collect for such person, firm or corporatian exclusively shall not be held to be a "collection agency."

(b) "Assignor" shall include every person, firm or corporation to whom a debt is owning and who places the debt in the hands of or assigns the same to any collection agency for collection.

(c) "Debtor" shall include every person, firm or corporation owing a debt to any other person, firm or corporation, and against whom a collection is held.

(d) "City Collector" shall include the City Assessor and ex-officio City Collector of the City of Phoenix or his duly acting deputy or assistant.

(e) "Defaulted claim" shall include any claim which has been collected by a collection agency from a debtor and which has not been by such collection agency paid over to the assignor thereof within thirty (30) days after the date of its collection.

(3) Every collection agency is hereby placed under the supervision of the City Collector, who is hereby empowered and authorized to enter upon the premises and examine the books and accounts of any collection agency, for the purpose of ascertaining if the business of the said agency is being conducted in a proper and lawful manner.

(4) Every collection agency, before beginning business, shall cause to be filed with the City Collector an application for license, and a registration report containing in addition to such other particulars as may be required by the

said City Collector, the name under which it is proposed to transact the business of such collection agency, and the name, residence and official title of every member, official and stockholder thereof; and with such application shall be deposited the quarterly license fee provided for in sub Section 5 of this section, together with a good and sufficient bond in the sum of Two Thousand Dollars ($2,000.00) payable to the City of Phoenix. All such bonds shall be personal or surety company bonds, and shall be approved by the City Manager of the City of Phoenix, and shall bind the principals and sureties thereon to pay over to the City of Phoenix, upon written demand of the City Collector notifying said sureties and said principal or either of them that the collection agency for which such bond shall have been given, has defaulted, the amount so claimed to be so defaulted. If such bond be a personal bond, there shall be not less than two sureties, and the justification of said surities shall aggregate double the amount of the bond.

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(5) The quarterly license fee shall be Two Dollars and Fifty Cents ($2.50) payable to the City Collector at his office in advance on or before the first days of July, October, January and April of each year, and the same shall expire on the last days of September, December, March and June, respectively. No license issued under the provisions of this ordinance shall be transferable or refundable.

(6) Upon the filing of the application and report herein provided, the payment of the license fee herein required, and the filing of a duly approved bond as herein required, an investigation and examination shall be made by the City Collector of the members, officers and stockholders of such applicant collection agency and if it be found that said collection agency or any of its members, officers or stockholders, have not at any time defaulted, then said City Collector shall issue and deliver to such applicant the license herein provided for, in such form as may be approved by the City Commission, entitling such applicant to conduct the business of collection agency for the period in such license stated, and shall certify on the face of such license that the collection agency therein mentioned has duly filed the bond in this section required. The bond herein required shall be continuing bond, and shall continue so long as the agency for which it is given shall continue to transact the business by said bond covered, and for the full period of the statutes of limitation in such cases made and provided respecting all transactions covered by such bond.

(7) Each and every collection agency shall on or before the 1st day of July of each year, file with the City Collector a statement of the total amount of collections made by such agency during the year ending June 30th next theretofore, and in said statement show such item or portion thereof, collected and retained for a period exceeding thirty (30) days from the date same was collected, with the reasons, if any, for such retention.

(8) If, upon examination of the applicant for license or a renewal of license, it be found that such collection agency has fully complied with all of the requirements of this section, and the bond shall be and remain in force, the City Collector shall issue license or renew license by the issuance of a new quarterly license as in the first instance as in sub-Section 6 of this section provided. If, however, it be found that the collection agency for such license or renewal, or any member, officers or stockholders, has not complied with the requirements of this Ordinance to the satisfaction of the City Collector, or has theretofore violated this section, or has without just reason and cause defaulted in the payments to assignors of collections made by such collection agency, then and in that event, no such license or renewal shall be granted and no license or renewal issued, and the City Collector shall proceed to cause the sureties on the bond of such collection agency to pay over a sum sufficient to pay any such defaulted collections at the date of such application, remaining unpaid.

(9) Every collection agency shall within thirty days after having collected a debt or any portion thereof due to any assignor, file a statement of account of such collection, or portion thereof, with the assignor of the claim which, or of which a portion, has been collected, and shall at that time or at the time when the whole of such claim shall have been collected, but not to exceed sixty days, pay over to the assignor the amount so collected, less the agreed upon collection charges.

(10) When proof has been submitted to the City Collector by an assignor that a collection agency has defaulted after written demand has been made by such assignor upon the collection agency complained of for the payment of such assignor of money by it collected, and due such assignor, then the City Collector shall serve written notice upon the collection agency so complained of to within five (5) days after receipt by it of such notice pay over to such complaining assignor the money so collected and due to him for this account, or else show cause why sufficient of the bond filed by such collection agency should not be forfeited

to the City of Phoenix to pay such defaulted amount or amounts.

(11) After the procedure as specified in the preceding sub-section has been had, and the collection agency complained of fails to appear or to show good and just cause for default or non-payment, or it still refuses without just cause to pay, then and in that event the City Collector shall declare its license revoked and of no further effect and all license fees paid thereon together with sufficient of the bond filed by such collection agency shall be by order of the City Collector, forfeited to the City of Phoenix and to the payment of such unpaid collections less the agreed upon charges, and no such collection agency, nor any member, officers or stockholders thereof, shall at any time thereafter, be permitted to do or transact a collection agency business in the City of Phoenix. When, in any instance in this section provided, the bond or any portion thereof shall be ordered forfeited, the City Collector shall immediately thereafter serve written notice to that effect upon one or more of the sureties upon such bond, and in said notice state the facts of the case and giving the sum or sums so ordered forfeited and demanding of such surety or sureties to pay the same over to the City of Phoenix. If, after the expiration of ten days following the receipt of such notice by such surety or sureties, or either of them, the said sureties have not paid over to the City of Phoenix the sum or sums so demanded, the City Attorney, upon demand of the City Collector, shall proceed in any court of competent jurisdiction by appropriate proceedings to collect the same, and all costs on account thereof, including $50.00 attorney fee.

All moneys derived from the forfeiture of bonds or proceedings had thereon, or from license fees, under this Ordinance, shall be paid to the City Collector and by him accounted for and paid to the City Treasurer.

(12) All moneys paid to the City of Phoenix for and on account of forfeited bonds or portions thereof, not including costs or attorney fees, shall be payable to the proper parties by warrants drawn as other warrants of the City of Phoenix, on the general fund, such warrants therefor to be drawn only upon an order therefor duly issued by the City Collector, and the City Treasurer shall pay the same and charge the respective amounts for which such warrants shall be drawn to the general fund to which said fund all sums so forfeited, together with costs and attorney fees, under the provisions of this Ordinance collected, shall be credited.

(13) Any collection agency, or member, officer or

stockholder thereof, giving any false or incomplete statement or information, or giving any false or fictitious names or amounts of transactions, under any requirement of this section, or of the City Collector, or violating any of the provisions of this section, shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine of not more than three hundred dollars ($300.00), or by imprisonment in the City Jail for a period of not more than ninety days, or by both such fine and imprisonment.

Sec. 126. It shall be unlawful for any person, firm or corporation to sell any ice cream, candy, chewing gum, fruits, soda water, or other articles of confectionery of any kind or nature, from any vehicle, stand or other movable or temporary contrivance, or by peddling, within five hundred feet of any public school grounds within the City of Phoenix.

Any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum of not more than twenty-five dollars ($25.00), or by imprisonment in the City Jail for not more than twenty-five (25) days or by both such fine and imprisonment.

CHAPTER VIII.

GENERAL PROVISIONS

Sec. 127. No person answering to the city court for the breach or violation of any ordinance of the City of Phoenix shall be entitled to a trial by jury.

Sec. 128. The Chief of the Fire Department of the City of Phoenix is hereby vested with power to make arrests for the disobedience of, or breach of any Ordinance of the City of Phoenix.

Sec. 129. Any person who shall violate any of the provisions of this Ordinance or of any chapter, section or part thereof, or the provisions of any Ordinance of the City of Phoenix now in force or hereafter enacted, shall be guilty of a misdemeanor and where no other punishment is herein or therein provided, shall, upon conviction thereof, be punished by a fine of not more than three hundred dollars or by imprisonment in the City Jail for not more than six months or by both such fine and imprisonment. Where any violation of any of the provisions of this Ordinance is made punishable by fine only, any person found guilty of such violation and sentenced to pay a fine therefor, shall in default of the payment of such fine be imprisoned in the City Jail until the said fine be paid or until such person has re-

mained so imprisoned for a term equal to one day for each dollar of such fine imposed.

Sec. 130. In the construction of this Ordinance and of all other ordinances in force or which may hereafter be passed and adopted, the following rules shall be observed; unless such construction would be inconsistent with the manifest intent of the Commission or repugnant to the context of the same Ordinance.

(a) All general provisions, terms, phrases and expressions shall be liberally construed in order that the true intent and meaning of the Commission may be fully carried out.

(b) Words in the present tense include the future.

(c) Words importing the singular number shall extend and be applied to several persons or things, and words importing the plural may include the singular.

(d) Words importing the masculine gender shall include the feminine, and feminine may include the masculine.

(5) The word person or persons, as well as words referring to or importing persons, may extend and be applied to bodies corporate as well as individuals.

ORDINANCE NO. 21.

An Ordinance regulating the business of pawnbroker, second hand dealers, junk dealers and junk collectors.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. For the purposes of this ordinance a "pawnbroker" is defined to be a person, firm, association or corporation engaged in conducting, managing or carrying on the business of pawnbroking, or the business of loaning money for himself, or for any other person, firm, association or corporation, receiving as security for the repayment thereof pawns or pledges of personal property, or the business of purchasing personal property and reselling or agreeing to resell such articles to vendors, their personal representatives, or their assignees, at prices agreed upon at or before the time of such purchase, whether such business be the principal or sole business so carried on, managed or conducted, or be merely incidental to, in connection with or a branch or department of some other business or businesses.

A "pawnshop" is defined to be any room, store or place in which such business is engaged in, carried on or conducted.

For the purposes of this Ordinance, a "second-hand

dealer" is defined to be a person, firm, association or corporation engaged in, conducting, managing or carrying on the business of buying, selling or otherwise dealing in second-hand goods, wares or merchandise or articles, whether such business be the principal or sole business so carried on, managed, or conducted, or be merely incidental to, in connection with or a branch or department of some other business or businesses.

For the purposes of this Ordinance, a "junk dealer" is defined to be a person, firm, association or corporation having a fixed place of business within the City of Phoenix, and engaged in conducting, managing or carrying on the business of buying, selling or otherwise dealing in, either at wholesale or retail, old rags, sacks, bottles, cans, papers, metal, or other articles commonly known as "junk."

For the purposes of this Ordinance "junk collector" is defined to be a person not having a fixed place of business in the City of Phoenix, who goes from house to house and from place to place, gathering, collecting, buying, selling, or otherwise dealing in any old rags, sacks, bottles, cans, papers, metal or other articles commonly known as "junk."

Sec. 2. It shall be unlawful for any pawnbroker, or any employee or agent of any pawnbroker, within the City of Phoenix, to fail, neglect or refuse to make out and deliver to the Chief of Police, within twenty-four hours after the receipt thereof, a full, true and complete report of all goods, wares, merchandise or articles received on deposit, in pawn or pledge, or by purchase.

Such report shall show the hour of the day and the date when each article was received on deposit, in pawn or pledge, or by purchase, and the true name and address, as nearly as the same is known to, or can be ascertained by, such pawnbroker, of such person or persons by whom any such goods, wares, merchandise or article was left or deposited, pawned, pledged or sold, together with a description of such person, which description shall show the style of dress, height, age, sex, complexion, color of hair, color of mustache or beard, or both, if worn, and if not worn, such fact shall be noted. Such report shall also show the number of the pawn ticket, the amount loaned or paid thereon, the quantity or number purchased, and a complete description of each article so received, including all distinguishing marks thereof.

Sec. 3. It shall be unlawful for any second-hand dealer, junk dealer or junk collector, or any employee or agent of any second-hand dealer, junk dealer or junk collector, within the City of Phoenix, to fail, neglect or refuse to make out and deliver to the Chief of Police, within one week after

the receipt thereof, a full, true and complete report of all goods, wares, merchandise or articles received on deposit, in pawn or pledge, or by purchase.

Such report shall show the hour of the day and the date when each article was received on deposit, in pawn or pledged, or by purchase, and the true name and address, as nearly as the same is known to, or can be ascertained by, such second-hand dealer, junk dealer or junk collector, of such person or persons by whom any such goods, wares, merchandise or article was left or deposited, pawned, pledged or sold, together with a description of such person, or persons, which description shall show the style of dress, height, age, sex, complexion, color of hair, color of mustache or beard, or both, if same are worn, and if neither is worn, such fact shall be noted. Such report shall also show the amount loaned or paid thereon, the quantity or number purchased, and a complete description of each article so received, including all distinguising marks thereof.

Sec. 4. All reports required by the provisions of this Ordinance to be made out and delivered to the Chief of Police, shall be written or printed entirely in the English language, in a clear and legible manner.

Sec. 5. It shall be unlawful for any pawnbroker, second-hand dealer, junk dealer or junk collector to deface, alter, change, destroy, part with, conceal, give away, sell or dispose of any goods, wares, merchandise or article before and until one week after making out and delivering to the Chief of Police the report hereinabove required in accordance with the provisions of this Ordinance.

Sec. 6. Each failure, neglect or refusal to make out and deliver to the Chief of Police the report in this Ordinance required to be so made out and delivered, within the time herein required, and each defacement, alteration, change, destruction, parting with, concealment, gift, sale or disposition of any goods, wares, merchandise or article before or until one week after the making out and delivery of such report shall constitute a violation of this Ordinance.

Every person violating any provision of this Ordinance shall be guilty of a misdemeanor, and upon conviction thereof by a court of competent jurisdiction, shall be punished by a fine of not more than two hundred dollars, or by imprisonment in the City Jail for a term of not more than two hundred days, or by both such fine and imprisonment, and the license of any pawnbroker, second-hand dealer, junk dealer or junk collector may be summarily revoked by the Commission for any violation of the provisions of this Ordinance by such pawnbroker, second-hand dealer, junk dealer or junk

collector, his, their or its employees or agents, and upon any such revocation of license, all fees or taxes theretofore paid on account of such license shall be forfeited to the city.

Sec. 7. WHEREAS, the immediate operation of the provisions of this ordinance is necessary for the perservation of the public peace, health and safety, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage by the Commission and approval by the Mayor, and is hereby exempted from the referendum clause of the City Charter.

Passed by the Commission of the City of Phoenix, this 12th day of September, 1914.

Approved this 12th day of September, 1914.

GEO. U. YOUNG,
Mayor.

Attest:

FRANK THOMAS, City Clerk.

ORDINANCE NO. 110.

An Ordinance to regulate automobile garages and places where volatile inflammable oils are stored and kept for sale.

Be it ordained by the City Commission of the City of Phoenix, as follows:

Section 1. By the term "Public or Commercial Garage" is meant a building or that portion of a building wherein are kept more than three automobiles or motor cars charged with or containing a volatile inflammable liquid for fuel or power.

Where any portion of a building is used for a garage, the garage shall be deemed to embrace all of the building not separated from the garage proper by standard fire walls. All openings in such walls shall be protected on both sides by standard fire doors, constantly closed except when necessarily temporarily opened for passage.

A private garage housing not more than three automobiles if within fifteen (15) feet of any other building must be incombustible material.

Sec. 2. By the term "Volatile Inflammable Liquid" is meant any liquid that will emit inflammable vapor at a temperature below eighty (80) degrees Fahrenheit.

Sec. 3. No frame building shall be used as a public or commercial garage, and no building exceeding one story in height shall be used as such garage within the fire limits unless it be of fireproof construction. No basement or cellar shall be allowed under such garage, nor shall any building

be used as such garage unless the floor on which automobiles containing volatile inflammable liquids are stored shall be of concrete, or other suitable non-combustible material.

Sec. 4. No stove, forge, torch, boiler or other furnace and no flame or fire shall be used or allowed in any garage. All electric dynamos and motors not actually part of the automobile except "explosion proof" or fully enclosed motors, shall be located not less than five feet above the floor. All incandescent lights so located as to be exposed to mechanical injury shall be protected by approved wire guards, and all arc lamps shall be so located as to be safe from mechanical injury, and shall be of the enclosed type; approved re-enforced cord must be used where lamps are used for portable purposes. Movable incandescent lights in a garage shall be protected by approved metal guards and shall be fitted with keyless sockets, and all electric switches and plugs shall be permanently located at least five feet above the floor, and enclosed in a fire proof cabinet. The entire electrical equipment shall conform to the rules contained in the latest edition of the National Electrical Code.

Sec. 5. No volatile inflammable liquid shall be kept or carried in open vessels in a garage, and no volatile inflammable liquid shall be drawn except into approved safety cans of a capacity not exceeding five gallons each, and then, with the exception of liquids with flashpoint about 30 degrees Fahrenheit, only for the purpose of immediately filling the tanks of automobiles contained in a garage. In lieu of the above safety cans, portable filling tanks, not to exceed sixty (60) gallons in capacity, may be used for transporting volatile inflammable liquid to and from the storage tanks for filling and charging the automobile. The said portable tanks shall be supported on rubber tired wheels and liquids must be drawn by means of a tight-fitting pump. Hose attachment must not exceed ten feet in length, equipped at the end with a shut-off valve.

Sec. 6. No volatile inflammable liquid shall be allowed to run upon the floor or to fall or pass into the drainage system of a garage, nor shall any such liquid be put into or removed from the tanks of a vehicle while any light or fire on the same is burning.

Sec. 7. Where electric charging apparatus is installed or placed in a public or commercial garage, all such apparatus except the wires leading to the automobiles to be charged shall be placed within a room separated from the main garage by fireproof walls, which shall not be inferior in fire-resisting qualities to re-inforced concrete construction four inches in thickness; any openings from said room into

the main garage shall be protected by self-closing doors, and door sills shall be raised at least eight inches above the floor level.

Sec. 8. No person shall smoke in any garage. A notice in large letters "NO SMOKING" shall be kept displayed in a conspicuous place and manner on all floors and at the entrance of all garages.

Sec. 9. On the floor of every garage there shall be constantly kept and maintained convenient receptacles filled with sand to be used in absorbing wasted oils on the floor; in addition thereto shall be kept on every floor in boxes or buckets provided with hand scoops to be used for fire extinguishing purposes only. There shall be one such box or bucket for each two thousand square feet of floor area or fraction thereof, or in lieu of such boxes or buckets there may be maintained a cart on wheels filled with sand, such cart to hold not less than four cubic feet of sand.

Sec. 10. There shall be maintained at least one chemical fire extinguisher for each two thousand square feet of floor space or fraction thereof.

Sec. 11. Self-closing metal cans set firmly on four-inch legs shall be kept on all floors of every garage, into which all inflammable waste materials shall be deposited at all times when not in use, and there shall be one such can for each twenty-five hundred square feet of floor area or fraction thereof. The contents of all waste cans shall be removed from the building daily.

Sec. 12. Calcium carbide shall be kept in air-tight containers of non-combustible material, preferably galvanized iron of not less than 18 U. S. metal gauge, with bottom at least six inches above the floor, and having securely fastened automatic closing covers.

Sec. 13. All storage tanks to be placed at least four feet underground, tested to 300 pounds to the square inch, with vent pipe extending to top of building, not placed in building, etc.

Sec. 14. Two printed copies of this ordinance shall be kept conspicuously posted on each floor of every public commercial garage.

Sec. 15. Any person, firm, or corporation who shall violate any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than five dollars ($5) nor more than twenty-five dollars ($25).

Sec. 16. All Ordinances or part of Ordinances in conflict with the foregoing are hereby repealed.

Sec 17. This Ordinance shall take effect and be in force from and after thirty days after its passage by the Commission and its approval by the Mayor and its posting and publication as required by the City Charter.

Passed by the City Commission of the City of Phoenix this 25th day of January, 1916, and approved by the Mayor this 25th day of January, 1916.

GEO. U. YOUNG,
Mayor.

Attest:
FRANK THOMAS, City Clerk.

ORDINANCE NO. 136.

An Ordinance relating to and prohibiting certain kinds of untrue and misleading advertisements, public outcry, proclamations and conversations, and providing for punishment for violations of this Ordinance.

Be it ordained by the Commission of the City of Phoenix, as follows:

Sec. 1. Any person, persons, firm association, or corporation, or any employee thereof, who shall in any newspaper, magazine, circular, form letter, or any open publication, published, distributed or circulated in the City of Phoenix, or any billboard, sign, card, label, or other advertising medium, or by means of any electric sign, window sign, showcase display, or by any advertising device, or public outcry, proclamation or conversation to or with a considerable number of persons, make or disseminate, or cause to be made or disseminated, any statement or assertion of fact in relation to, modifying, explaining, or in any manner concerning, any merchandise or other commodities offered for sale, barter, or trade, or any services, professional or otherwise, offered to be furnished, which statement, advertisement, outcry, proclamation or conversation of fact takes the form or has the appearance of commending such merchandise, commodity or services, or which is intended to commend such merchandise, commodity or services to the public or to a considerable number of persons, and which statement, advertisement, outcry, proclamation or conversation is untrue in any respect or calculated to mislead or misinform, shall be deemed guilty of a misdemeanor and on conviction thereof shall be punishable by a fine not exceeding three hundred ($300) dollars, or by punishment in the City Jail for a time not exceeding three (3) months, or by both such fine and imprisonment.

Passed by the Commission of the City of Phoenix this 9th day of June, A. D. 1916.

Approved this 9th day of June, A. D. 1916.

PETER CORPSTEIN,
Mayor.

Attest:
FRANK THOMAS, City Clerk.

ORDINANCE NO. 143.

An Ordinance requiring permits to be procured from the City Health Officer by any person, firm or corporation, keeping or causing to be kept any hospital, sanitarium, hotel, boarding-house, rooming house or any other place at which any person or persons suffering from pulmonary tuberculosis is or are housed, lodged, roomed or boarded within the City of Phoenix.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. DEFINITION OF PULMONARY TUBERCULOSIS: For the purposes of this Ordinance, no person shall be considered as suffering from pulmonary tuberculosis whose sputum for three successive examinations, not less than four days apart, shall be free from tubercle bacilli.

Sec. 2. PERMIT REQUIRED FOR HOUSING AND LODGING PERSONS SUFFERING FROM TUBERCULOSIS: No person, association of persons, firm, or corporation shall keep, or cause to be kept, any hospital, sanitarium, hotel, boarding house, rooming house, or any other place at which any person or persons suffering from pulmonary tuberculosis is or are housed, lodged, roomed or boarded within the corporate limits of the City of Phoenix, without having first obtained a permit as hereinafter provided, to keep, or cause to be kept, such hospital, sanitarium hotel, boarding house, rooming house, or other place.

Sec. 3. PLACES ESTABLISHED WHEN ORDINANCE BECOMES EFFECTIVE, SHALL HAVE 10 DAYS TO PROCURE PERMIT: Any person, association of persons, firm or corporation already keeping, or causing to be kept, such place or places defined in Section 2 of this Ordinance, shall have 10 days only, after this Ordinance becomes effective, within which to apply for and obtain the permit herein provided for.

Sec. 4. WRITTEN APPLICATION FOR PERMIT MUST BE MADE, ITS PARTICULARS: Any person, association of persons, firm or corporation hereafter desiring to keep, or cause to be kept, any place or places, such as de-

fined in Section 2 of this Ordinance, or who may be keeping, or causing to be kept, any such place or places when this Ordinance becomes effective, shall make application in writing therefor to the City Health Officer setting out in the said application specifically the location of the property in which each such place is kept or is caused to be kept, or is intended to be kept or caused to be kept, together with the name and resident address of the owner or proprietors thereof; which application shall also contain an agreement that all the premises in which such place or places is or are actually kept, or is or are proposed to be kept may at any and all times be inspected by the City Health Officer of this city, or any officer in the Health Department of this city, who may be thereunto duly authorized by the City Health Officer of this city; and that such applicant will comply with and obey all rules and regulations made by the Board of Health of the City of Phoenix pertaining to the subject of this Ordinance.

Sec. 5. PERMITS MAY BE REFUSED OR GRANTED BY THE CITY HEALTH OFFICER. PROCEDURE: The City Health Officer shall examine into the facts of such applications and shall grant or refuse any of such applications for permits, as, in his discretion may seem for the best interests of the public.

Sec. 6. LIFE OF PERMIT ONE YEAR AND NONTRANSFERABLE: The permits issued under the provisions of this ordinance shall endure for one year only, and shall begin on the 1st day of July and shall expire on the 30th day of June, and such permits shall be nontransferable.

Sec. 7. APPLICATIONS FOR NEW PERMITS; SAME PROCEDURE: Applications for new permits shall be made in like manner and under the same conditions as those made for the original or first permit.

Sec. 8. PLACES HAVING PERMITS MUST ADVERTISE AS TAKING PERSONS SUFFERING FROM TUBERCULOSIS: No person, association of persons, firm or corporation, being granted and accepting the permit hereinbefore provided for, shall hold himself, themselves or itself out at any time as housing, lodging, rooming or boarding only persons of sound health, but on the contrary it shall be their several duty to advertise and hold themselves out at all times as housing, lodging, rooming, or boarding persons suffering from pulmonary tuberculosis, provided that keepers of hotels that receive persons suffering from pulmonary turberculosis as transient guests only may, upon a sufficient showing to that effect, be relieved of the duty of advertising as above provided by the City Health Officer.

Section 9. LIST OF PERSONS HAVING PERMITS TO BE POSTED FOR PUBLIC INSPECTION: The Board of Health of this city shall keep a complete list of all persons, associations, firms and corporations securing permits as in this ordinance provided, and such list shall be posted in a conspicuous place in the office of the Health Department of this City, and such list shall be subject to public inspection at all times during office hours.

Sec. 10. UNLAWFUL TO MAKE FALSE STATEMENTS TO GET LODGING FOR PERSONS SUFFERING FROM TUBERCULOSIS: It shall be unlawful for any person suffering from pulmonary tuberculosis to make personally, or through any person acting for him, and it shall likeise be unlawful for any person acting for another, to make any false statement or representations for the purpose of concealing the facts of such disease, and whereby such person suffering from pulmonary tuberculosis gains lodgment, room, or board in any hospital, sanatarium, hotel, boarding house, rooming house, or any other place not kept, or caused to be kept under the authority of the permit hereinbefore provided for.

Sec. 11. UNLAWFUL TO TAKE PERSONS SUFFERING FROM TUBERCULOSIS EXCEPT AT PLACES HAVING PERMITS: It shall be unlawful for any person, association of persons, firm or corporation, keeping or causing to be kept, any hospital, sanatarium, hotel, boarding house, rooming house, or any other place without having the permit herein provided for, or for any person acting for him, or room any person suffering from pulmonary tuberculosis.

Sec. 12. PENALTY, FINE: Any person, association of persons, firm or corporation violating or failing to comply with any of the provisions of this Ordinance hereinbefore set out shall be guilty of a misdemeanor and be fined in any sum of money not more than $200.00, and each day's violation of or failure to comply with any of the provisions of this Ordinance hereinbefore set out shall constitute a separate and distinct offense.

Sec. 13. PENALTY, FORFEITURE OF PERMIT: The conviction of any person, association of persons, firm or corporation for a failure to comply with or for a violation of any part of the provisions of this Ordinance shall immediately and automatically work a forfeiture of such permit granted to him, them or it. And if such conviction be of any agent, servant, or employee of such persons, association of persons, firm or corporation, then, nevertheless, such permit granted to him, them or it shall in like manner be forfeited.

Sec. 14. RULES AND REGULATIONS: The Board of Health may make all reasonable rules and regulations pertaining to the granting of the permits herein provided for and the conditions under which such permits may be exercised.

Passed by the Commission of the City of Phoenix this 14th day of July, 1916.

Approved this 14th day of July, 1916.

PETER CORPSTEIN,
Mayor.

Attest:

FRANK THOMAS, City Clerk.

ORDINANCE NO. 144.

An Ordinance authorizing the City Health Officer to destroy animals when he has reason to believe such animals are suffering from rabies.

Be it ordained by the Commission of the City of Phoenix, as follows:

That the City Health Officer is hereby authorized to seize and destroy or cause to be seized and destroyed any animal found within the city that may, in his judgment, exhibit symptoms indicating that such animal is suffering from the rabies or that may have bitten any person under circumstances that may cause said Health Officer to suspect that such animal is suffering from said disease.

Passed by the Commission of the City of Phoenix this 14th day of July, 1916.

Approved this 14th day of July, 1916.

PETER CORPSTEIN,
Mayor.

Attest:

FRANK THOMAS, City Clerk.

ORDINANCE NO. 145.

An Ordinance prohibiting smoking and the use of matches in theaters, automobile and motorcycle machine and repair shops, providing for the posting of "No Smoking Signs," and providing penalties for violations thereof.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. It shall be unlawful for any person to ignite or smoke any cigar, pipe or cigarette, or to ignite any match in any theater in the City of Phoenix during the course of any performance, entertainment or amusement, or

at any time when such theater is occupied by any number of the public.

Sec. 2. It shall be unlawful for any person, either owner, employee, customer or any other person whatsoever, to ignite or to smoke any cigar, pipe or cigarette, or to ignite any match in any automobile or motorcycle machine or repair shop within the City of Phoenix.

Sec. 3. Every person having the management, charge or control of any automobile or motorcycle machine or repair shop within the City of Phoenix, shall post at each entrance thereto and in at least one conspicuous place therein, a sign in letters not less than one inch in height advising the public of the prohibition against smoking in such places and of the penalty herein provided.

Sec. 4. Any person violating any of the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than fifty dollars or by imprisonment in the City Jail for a period not to exceed thirty days or by both such fine and imprisonment.

Passed by the Commission of the City of Phoenix this 14th day of July, 1916.

Approved this 14th day of July, 1916.

PETER CORPSTEIN,
Mayor.

Attest:

FRANK THOMAS, City Clerk.

ORDINANCE NO. 160.

An Ordinance for the prevention of fornication, adultry and other immoral practices, providing a penalty, with an emergency clause.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. It shall be unlawful for any person or persons to occupy any room or premises within the City of Phoenix for the purposes of fornication or adultry.

Sec. 2. Any person occupying any room or premises within the City of Phoenix who shall permit any person of the opposite sex to occupy said room or premises and there indecently expose his or her person, or any part thereof, in such manner as to be reasonably calculated to excite the sexual passion of the other or either of them, shall be guilty of a misdemeanor; provided, however, that nothing in this

section contained shall be construed to apply to husband and wife.

Sec. 3. Any person violating any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not to exceed One Hundred Dollars, or by imprisonment in the City Jail for a period not to exceed 100 days, or by both such fine and imprisonment.

Sec. 4. Whereas, there is at this time no law of the State of Arizona, or ordinance of the City of Phoenix prohibiting fornication and similar immoral practices, and

Whereas, by reason of such omission such practices are becoming prevalent within the City of Phoenix,

Whereas, it is necessary to the public peace, health and safety of the City of Phoenix that such law become immediately effective;

Now Therefore, an emergency is hereby declared to exist and this Ordinance is hereby exempted from the provisions of the referendum and shall become effective immediately upon its passage by the Commission, approval by the Mayor and posting and publication as provided by law.

Passed by the Commission of the City of Phoenix this 18th day of October, 1916.

Approved this 18th day of October, 1916.

PETER CORPSTEIN,
Mayor.

Attest:

FRANK THOMAS, City Clerk.

ORDINANCE NO. 163.

An Ordinance prohibiting loitering, picketing or displaying banners, signs or transparencies, or speaking in the public streets in a loud or unusual tone, for certain purposes.

WHEREAS, it is in the interest of the peace and good order of the people of Phoenix that the streets of the city be kept free and unobstructed to the public and that as far as may be possible no use of the streets should be permitted that tends to create disorder or to offend, embarass or intimidate persons using the same for lawful and proper purposes, and

WHEREAS, in regulating the use of the public streets the interest of the general public must be regarded as paramount to those of individuals, groups of individuals, or organizations representing special interests however lawful and commendable in object and purpose,

NOW, THEREFORE, be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. It shall be unlawful for any person, in or upon any public street, alley or public place within the City of Phoenix, to make any loud or unusual noise, or to speak in a loud or unusual tone, or to cry out or proclaim, for the purpose of inducing or influencing, or attempting to induce or influence, any person to refrain from purchasing or using any goods, wares, merchandise or other article or articles, or for the purpose of inducing or influencing, or attempting to induce or influence, any person to refrain from doing or performing any service or labor in any works, factory, place of business or employment, or for the purpose of intimidating, threatening or coercing any person who is performing, seeking or obtaining service or labor or employment in any works, factory, place of business or employment.

Sec. 2. It shall be unlawful for any person, in or upon any public street, alley or public place within the City of Phoenix, to loiter in front of, or in the vicinity of, or to picket in front of, or in the vicinity of, or to carry, show or display any banner, transparency or sign in front of, or in, the vicinity of, any works, factory, or any place of business or employment, for the purpose of inducing or influencing, or attempting to induce or influence, any person to refrain from entering any such works or factory or place of business or employment, or for the purpose of inducing or influencing, or attempting to induce or influence, any person to refrain from purchasing or using any goods, wares, merchandise or other articles, manufactured, made or sold or kept for sale, therein, or for the purpose of inducing or influencing or attempting to induce or influence, any person to refrain from doing or performing any service or labor in any works, factory or place of business or employment, or for the purpose of intimidating, threatening or coercing any person who is performing, seeking or obtaining, service, labor or employment in any such works, factory, place of business or employment.

Sec. 3. Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than One Hundred ($100) Dollars, or by imprisonment in the City Jail for a period of not more than fifty (50) days, or by both such fine and imprisonment.

Sec. 4. WHEREAS, the immediate operation of the provisions of this ordinance is necessary for the preservation of the public peace, health and safety, an emergency is

hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage by the Commission and approval by the Mayor, and is hereby exempted from the referendum provision of the City Charter.

Passed by the Commission of the City of Phoenix this 22nd day of November, 1916.

Approved this 22nd day of November, 1916.

PETER CORPSTEIN,
Mayor.

Attest:

FRANK THOMAS, City Clerk.

ORDINANCE NO. 185.

An Ordinance to prevent the defacement and mutilation of books, papers, periodicals, furniture, fixtures and other property of public libraries and public buildings of the City of Phoenix.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. It shall be unlawful for any person to mar, deface, mutilate or in any wise injure any book, paper, periodical or newspaper, the property of or contained in any Public Library, or to mar, deface, mutilate or in any wise injure any property, real or personal, or any furniture or fixture contained in any public building of the City of Phoenix.

Sec. 2. Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not to exceed Twenty-five Dollars, or by imprisonment in the City Jail for a period not to exceed Twenty-five days, or by both such fine and imprisonment.

Sec. 3. WHEREAS, at frequent instances of mutilation and defacement of books, papers, periodicals contained in the Phoenix Carnegie Library and of mutilation and defacement of other public property of the City of Phoenix have occurred, and,

WHEREAS, there is no adequate provision of law for the prevention of such occurrences and for the punishment of the parties guilty thereof, and,

WHEREAS, it is necessary to the public health, peace and safety of the City of Phoenix that this Ordinance become immediately effective, NOW THEREFORE,

AN EMERGENCY is hereby declared to exist and this Ordinance shall be exempted from the provisions of the

referendum and shall be in full force and effect from and after its passage by the Commission of the City of Phoenix, approval by the Mayor and publication and posting as required by law.

Passed by the Commission of the City of Phoenix this 25th day of April, 1917.

Approved this 25th day of April, 1917.

PETER CORPSTEIN,
Mayor.

Attest:

FRANK THOMAS, City Clerk.

ORDINANCE NO. 187.

An Ordinance prohibiting the receiving, growing, selling, giving, possession or use of "Cannibas Indica" or "Marihuana" and providing penalty with an emergency clause.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. It shall be unlawful for any person within the City of Phoenix to receive from any source whatever, or to grow, sell, give away, possess or use, for any purpose "Cannibas Indica" or "Marihuana;" Provided, however, that it shall not be unlawful for Licentiates in Pharmacy and owners of drug stores to keep the same for use in physicians' prescription, but not otherwise.

Sec. 2. Every person violating any of the provisions of this Ordinance shall be guilty of a misdemeanor, and upon conviction, shall be imprisoned in the City Jail for a period not to exceed six months and shall be fined in a sum not less than ten dollars nor more than three hundred dollars.

Sec. 3. WHEREAS, the use of Cannibas Indica or Marihuana is becoming prevalent among a certain class of the inhabitants of the City of Phoenix, and,

WHEREAS, the use of said drug tends to cause insanity and render the user thereof a menace to the public peace and safety, and,

WHEREAS, it is necessary therefore to the peace, health and safety of the City of Phoenix that this Ordinance become immediately effective;

NOW, THEREFORE, an emergency is hereby declared to exist and this Ordinance shall be exempt from the provisions of the referendum and shall be in full force and effect from and after its passage by the Commission, ap-

proval by the Mayor and posting and publication as provided by law.

Passed by the Commission of the City of Phoenix this 16th day of May, 1917.

Approved this 16th day of May, 1917.

PETER CORPSTEIN,
Mayor.

Attest:

FRANK THOMAS, City Clerk.

ORDINANCE NO. 188.

An Ordinance regulating the sale of arms, ammunition and explosives within the City of Phoenix, prescribing the duties of dealers in such commodities; fixing penalties for the violation thereof with an emergency clause.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. Every person, firm or corporation dealing in arms, ammunition or explosives, or either of them, shall register as such dealer in a book to be kept by the Chief of Police for that purpose in which said book shall be written the name of such dealer, the character of his business and the street and number at which such business is located and carried on.

Sec. 2. Every such dealer shall, within ten days from the date of the passage of this Ordinance, furnish in writing to the Chief of Police a complete inventory of all arms, ammunition and explosives either owned by him or in his possession or under his control; provided, however, that it shall not be necessary to include in such inventory shotguns and shotgun ammunition loaded with shot not greater in size than number four shot, or pistols and rifles and ammunition therefor of twenty-two or lesser calibre.

Sec. 3. Every such dealer shall, in addition to the inventory herein provided for, keep a register in which he shall enter all sales of arms, ammunition and explosives as enumerated in Section 2 of this Ordinance and not excepted therefrom, made by him or by his employees, agents, servants or officers. He shall also enter in such register the name, nationality and address of the purchaser together with the kind and calibre of the arms, ammunition and explosives sold and delivered to such purchaser. Such register shall at all times be open to inspection by the Chief of Police or any police officer of the city.

Sec. 4. Every such dealer shall report to the Chief of Police any and all shipments of arms, ammunition and ex-

plosives, as enumerated in Section 2 of this Ordinance and not excepted therefrom, made from his place of business. Such report shall be made immediately upon the departure of such shipment from such place of business.

Sec. 5. Any person, firm or corporation violating any of the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than three hundred dollars or by imprisonment in the City Jail for a period not to exceed ninety days or by both such fine and imprisonment.

Sec. 6. WHEREAS, a state of war exists between the United States and certain countries, and,

WHEREAS, there are resident within this city, county and State many alien enemies, and,

WHEREAS, by reason of said facts it is necessary to the preservation of the public peace, health and safety that proper regulations be adopted and enforced to regulate the sale and distribution of fire arms, ammunition and explosives in order that the same may not come into the hands of our enemies, NOW THEREFORE,

AN EMERGENCY is hereby declared to exist and this Ordinance is hereby exempted from the provisions of the referendum and shall be in full force and effect from and after its passage by the Commission, approval by the Mayor and posting and publication as provided by law.

Passed by the Commission this 13th day of June, 1917.

Approved this 13th day of June, 1917.

PETER CORPSTEIN,
Mayor.

Attest:

FRANK THOMAS, City Clerk.

ORDINANCE NO. 189.

An Ordinance providing for the establishment and maintenance of benches in the City Hall Park for the exclusive use of women and children and providing a penalty for violations thereof.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. That the City Manager be and he hereby is authorized to establish and maintain, in the City Hall Plaza, benches for the use of women and children only. Such benches shall have painted on them in large letters the following legend:

"FOR THE USE OF WOMEN AND CHILDREN ONLY"

and it shall be unlawful for any person, other than a woman or child to use or occupy such bench or benches.

Sec. 2. Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not to exceed five dollars or by imprisonment in the City Jail for a period not to exceed five days or by both such fine and imprisonment.

Passed by the Commission of the City of Phoenix this 27th day of June, 1917.

Approved this 27th day of June, 1917.

PETER CORPSTEIN,
Mayor.

Attest:

FRANK THOMAS, City Clerk.

ORDINANCE NO. 200.

An Ordinance providing for the parole of persons under sentence of imprisonment in the City Jail.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. The Mayor, upon the recommendation of the City Magistrate and City Attorney, may grant a parole, upon such terms and conditions as he may impose, to any person confined in the City Jail, or who may hereafter be confined in the City Jail, under sentence of imprisonment for a term of not less than ten days for the violation of any City Ordinance;

Provided, however, that no such parole shall be granted until the prisoner shall have served not less than five days' imprisonment; and,

Provided, further, that the granting of any such parole, the reasons therefor, and the terms imposed, and conditions shall be made a public record in the office of the City Clerk.

Sec. 2. WHEREAS, in the judgment of the Commission, a system of paroles is essential to the proper administration of the criminal law of the city and its immediate adoption essential to the good, order, peace, safety and welfare of the city an emergency is hereby declared to exist and this Ordinance is hereby exempted from the referendum provisions of the City Charter and is made to take effect from and after its passage and approval by the Mayor.

Passed by the Commission of the City of Phoenix this 24th day of September, 1917.

Approved this 24th day of September, 1917.

JAMES A. JONES,
Vice-Chairman.

Attest:
FRANK THOMAS, City Clerk.

ORDINANCE NO. 203.

An Ordinance prohibiting circuses, menageries, dog or pony shows or exhibitions or any street carnival from obtaining licenses or from exhibiting or giving or conducting any show, exhibition or parade within the corporate limits of the city during the thirty days next preceding the State Fair and during the week of the State Fair.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. That for and during the period of thirty days next preceding the opening of the State Fair and during the week when such fair is held no license shall be issued to any person, firm association or corporation owning, maintaining or conducting any circus, menagerie, dog or pony show or any show of trained animals exclusively or any street carnival or any like show or exhibition within the corporate limits of the City of Phoenix, and no such firm, person, association or corporation shall during said perid of thirty days give, produce or conduct any such show, exhibition or parade within the corporate limits of the city.

Sec. 2. Any person, firm, association or corporation who shall give or conduct during said period provided for in Section 1 of this Ordinance within the corporate limits of the City of Phoenix, any such show, exhibition or parade shall be punishable by a fine of not more than Two Hundred Dollars ($200.00) or by imprisonment in the City Jail for a term of not more than ninety days or by both said fine and imprisonment and each performance, exhibition or parade shall be deemed a separate offense.

Sec. 3. Ordinance No. 153 New Series of the City of Phoenix and all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Sec. 4. WHEREAS, it is necessary for the public peace, health and safety that some provision be made restricting the conducting of various amusements during fair week, and for thirty days previous thereto.

AN EMERGENCY is hereby declared to exist and this Ordinance shall be in full force and effect from and after

its passage by the Commission, approval by the Mayor and posting and publication as required by law.

Passed by the Commission of the City of Phoenix this 17th day of October, 1917.

Approved this 17th day of October, 1917.

PETER CORPSTEIN,
Mayor.

Attest:
FRANK THOMAS, City Clerk.

ORDINANCE NO. 211.

An Ordinance making it unlawful to burn any rubbish, grass, weeds, brush, paper or other combustible material in the City of Phoenix without a permit from the Chief of the Fire Department and repealing Ordinance No. 146 New Series of the City of Phoenix.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. It shall be unlawful for any person to ignite any rubbish, grass, weeds, brush, paper or other combustible material upon any street, alley, lot or premises within the corporate limits of the City of Phoenix unless such person shall first apply for and receive permission from the Chief of the Phoenix Fire Department so to do.

Sec. 2. Any person violating any of the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than Fifty Dollars or by imprisonment in the City Jail for a period not to exceed thirty days or by both such fine and imprisonment.

Sec. 3. Ordinance No. 146, New Series of the City of Phoenix entitled "An Ordinance making it unlawful to burn any rubbish, grass, weeds, brush, paper or other combustible in the City of Phoenix without a permit from the Chief of the Fire Department" is hereby repealed.

Passed by the Commission of the City of Phoenix this 30th day of January, 1918.

Approved this 30th day of January, 1918.

PETER CORPSTEIN,
Mayor.

Attest:
FRANK THOMAS, City Clerk.

ORDINANCE NO. 218.

An Ordinance making it unlawful to keep any automobile oil or gasoline station open after the hour of eleven o'clock P. M.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. It shall be unlawful for the proprietor or any person having charge or control of any automobile, oil or gasoline Service Station in the City of Phoenix, whether such station be located on the curb or otherwise to keep such station open or allow any oil or gasoline to be sold to any person after the hour of eleven o'clock in the evening.

Sec. 2. Any person violating the provisions of this Ordinance shall be guilty of a misdemeanaor and upon conviction thereof shall be punished by a fine of not more than Fifty Dollars ($50.00), or by an imprisonment in the City Jail of not more than Thirty days, or by both such fine and imprisonment.

Passed by the Commission of the City of Phoenix this 10th day of April, 1918.

Approved this 10th day of April, 1918.

PETER CORPSTEIN,
Mayor.

Attest:

FRANK THOMAS, City Clerk.

ORDINANCE NO. 219.

An Ordinance requiring employment agents within the city to obtain a permit and pay a license tax before transacting any business as an employment agent when the labor employed is to be used without the State of Arizona.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. Every person, firm or corporation, before transacting, engaging in or carrying on the business of an employment agent within the City of Phoenix must first apply for and obtain a permit therefor from the City Commission; provided, however, that such permit shall not be required of any person, firm or corporation who shall transact, engage in or carry on said business of an employment agent where the labor employed is to be used wholly within the State of Arizona.

Sec. 2. Every such person, firm or corporation of whom a permit is required, as provided in Section 1, shall in addition to obtaining said permit, pay a quarterly license tax of Five Hundred Dollars ($500).

Sec. 3. Any person, firm or corporation of whom a permit is required, as in this Ordinance provided, who shall transact any business as an employment agent with-

out first obtaining said permit, or who shall fail to pay said license tax, shall be guilty of a misdemeanor and shall be punished by a fine of not more than Three Hundred Dollars ($300) or by imprisonment for not more than ninety days or be punished by both such fine and imprisonment.

WHEREAS, the immediate preservation of the safety and welfare of the city requires that this Ordinance shall become immediately operative, an emergency is declared to exist; and this Ordinance shall take effect and be in force from and after its passage and approval by the Mayor.

Passed by the Commission of the City of Phoenix this 17th day of April, 1918.

Approved this 17th day of April, 1918.

PETER CORPSTEIN,
Mayor.

Attest:

FRANK THOMAS, City Clerk.

ORDINANCE NO. 240.

An Ordinance making it unlawful to possess or use any narcotic drug or appliances for the preparation or use thereof; providing penalty for the violation thereof with an emergency clause.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. It shall be unlawful for any person other than a duly licensed druggist or physician to have, own, possess or use any narcotic drug such as morphine, cocaine, heroin or opium or to have own, possess or use any pipe, lamp, syringe or other appliance or apparatus for the preparation or use of any such drug.

Sec. 2. Any person found guilty of a violation of any provision of Section 1 of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine of not to exceed three hundred dollars or imprisonment in the City Jail for a period not to exceed six months or by both such fine and imprisonment.

Sec 3. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Sec. 4. WHEREAS, it is necessary that more stringent measures be adopted for the suppression of the use of narcotic drugs than now exist an emergency is hereby declared to exist by reason of the fact that it is necessary for the preservation of the public peace, health and safety that this Ordinance become immediately effective and this Ordinance shall be in full force and effect from and after its

passage by the Commission, approval by the Mayor and posting and publication as provided by law.

Passed by the Commission of the City of Phoenix this 18th day of December, 1918.

Approved this 18th day of December, 1918.

PETER CORPSTEIN,
Mayor.

Attest:

FRANK THOMAS, City Clerk.

(Published December 19th, 1918.)

ORDINANCE NO. 242.

An Ordinance amending Ordinance No. 236, of the City of Phoenix, passed by the Commission of the City of Phoenix on the seventh day of October, 1918, being entitled "An Ordinance forbidding the opening of theaters, other places of public amusement, and the holding of public meetings or assemblies during the prevalence of any contagious, infectious, epidemic or endemic disease," by assigning thereto a provision for the quarantining of persons having any such disease under the supervision of the City Health Officer.

Be it ordained by the Commission of the City of Phoenix, as follows:

That Ordinance No. 236, passed by the Commission of the City of Phoenix, on the 7th day of October, 1918, entitled "An Ordinance forbidding the opening of theaters, other places of public amusement, and the holding of public meetings or assemblies during the prevalence of any contagious, infectious, epidemic or endemic disease," be amended so as to read as follows:

Section 1. That during the prevalence of any contagious, infectious, epidemic or endemic disease, all schools, theaters, moving picture shows and other places of public amusement shall be closed and no public meetings or assemblies of any kind shall be permitted to be held within the city.

Sec. 2. The city health officer shall give public notice in the official newspaper of the city of the prevalence of any such disease described in said section and that in his judgment it is necessary in the interest of the public health that during the prevalence of said disease all schools, theaters, moving picture shows and other places of public amusement within the city be closed and all public meetings and assemblies of any kind be prohibited.

Upon the giving of said notice the provisions of said Section 1 shall be in full force and effect and shall remain in full force and effect until the health officer shall give public notice of the subsidence of said disease and that the necessity for the enforcement of said section no longer exists.

Sec. 3. During the prevalence of any such con-

tagious, infectious, epidemic and endemic disease the City Health Officer may establish and maintain a strict quarantine of all persons having any such disease within the city, under such reasonable regulations as he may prescribe for that purpose. Said Health Officer shall give public notice through the official newspaper of the city or by posting a notice of the same in five public places within the city of the establishment of such quarantine and of the regulations prescribed by him in relation thereto, and thereafter and until said quarantine shall be lifted by said Health Officer by like notice all persons within the city shall be required to comply with the regulations so prescribed by said Health Officer.

Sec. 4. Any person violating the provisions of this Ordinance shall be guilty of a misdemeanor and be punished by a fine of not more than three hundred ($300.00) dollars, or by imprisonment not to exceed ninety (90) days, or by both such fine and imprisonment.

The City Manager shall have full power and authority to take such measures as he may deem necessary and proper towards the enforcement of this Ordinance.

WHEREAS, there is prevalent a serious epidemic which in the judgment of the Commission is apt to prove a serious menace to the health of the health of the people of the city; and,

WHEREAS, prompt and effectual measures to prevent the spread of said disease are necessary for the preservation of the public health, safety and welfare, an emergency is therefore declared to exist and this Ordinance shall take effect from and after its passage and approval by the Mayor.

Passed by the Commission of the City of Phoenix this 6th day of January, 1919.

Approved this 6th day of January, 1919.

PETER CORPSTEIN,
Mayor.

Attest:
FRANK THOMAS, City Clerk.

ORDINANCE NO. 249.

An Ordinance making it unlawful for any person to fail to clean bottles or other receptacles in which milk is delivered; or to use such bottles for any purpose other than for the delivery of milk or to break, destroy or throw away any such bottles, and providing penalty.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. It shall be unlawful for any person to whom any milk or cream is delivered to fail or neglect immediately after emptying the receptacle in which such milk or cream shall have been delivered, to rinse, or cause to be rinsed thoroughly such receptacle so as to free the same from all remnants of milk or cream.

Sec. 2. It shall be unlawful for any person to place, or to cause or permit to be placed, into any bottle or other receptacle that is commonly used for the reception, storage or delivery of milk or cream for sale, any filthy or offensive substance, or any refuse matter of any kind or to use, or to cause or permit to be used, any such bottle or other receptacle for cooking or heating milk or cream or any other substance; or to throw, place or deposit, or to cause or permit to be thrown, placed or deposited any such bottle or other receptacle in any container used for the reception of garbage or rubbish; or to wilfully or maliciously break or destroy any such bottle or other receptacle; or to use or cause or permit to be used any such bottle or other receptacle for any purpose other than a receptacle or container for milk or cream.

Sec. 3. Any person violating any of the provisions of this Ordinance shall be guilty of a misdemeanor, and upon conviction shall be punishable by a fine not exceeding fifty ($50.00) dollars, or by imprisonment in the City Jail for a period not exceeding thirty (30) days, or by both such fine and imprisonment.

Sec. 4. This ordinance shall take effect and be in force from and after its passage, publication and posting as by law required.

Section 5. All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Passed by the Commission of the City of Phoenix this 2nd day of April, 1919.

Approved this 2nd day of April, 1919.

PETER CORPSTEIN,
Mayor.

Attest:
FRANK THOMAS, City Clerk.

ORDINANCE NO. 294.

An Ordinance regulating the issuance of permits for the holding of boxing or sparring matches and providing for a license for the holding of such exhibitions.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. Repealed by Ordinance 529.

Sec. 2. No person, firm, association or corporation shall hold, give or conduct any boxing or sparring match or exhibition within the City of Phoenix without a license issued by the City Collector so to do. Such license shall be issued to any person, firm, association or corporation holding a permit from the Commission who shall pay to the City Collector the sum of fifty dollars ($50.00) in event one exhibition is to be held, given or conducted, and in event more than one such exhibition is to be held, given or conducted such license shall be given for

one year and shall be given on the payment to the City Collector of the sum of three hundred dollars. In event such application is made during any regular quarter the City Collector shall collect in addition to the yearly fee herein provided for a pro rata amount for the unexpired quarter. All such licenses shall be revocable by the Commission if in their judgment there is cause.

Passed by the Commission of the City of Phoenix this 13th day of August, 1919.

Approved this 13th day of August, 1919.

C. W. BARNETT,
Vice-Chairman.

Attest:
FRANK THOMAS, City Clerk.

ORDINANCE NO. 326.

An Ordinance making it unlawful for any person to practice clairvoyance, astrology, soothsaying, seership, palmistry, fortune telling, spiritualism, spirit mediumism for hire in the City of Phoenix, providing a penalty, and repealing Section 2 of Ordinance No. 54, N. S., with emergency clause.

Be it ordained by the Commission of the City of Phoenix:

Section 1. It shall be unlawful for any person to advertise himself as a clairvoyant, astrologer, soothsayer, seer, palmist, fortune teller, spiritualist or spirit medium.

Sec. 2. Any person violating the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine not to exceed the sum of three hundred dollars ($300), or by imprisonment in the City Jail for a period of not to exceed six (6) months, or by both such fine and imprisonment.

Sec. 3. Section 2 of Ordinance 54 entitled, "An Ordinance for licensing and regulating the carrying on of certain professions, trades, callings businesses and occupations carried on within the limits of the City of Phoenix and providing punishment for violations hereof," is hereby repealed.

Sec. 4. WHEREAS, it is necessary to the public peace, health and safety of the City of Phoenix that the practice of clairvoyance, astrology, soothsaying, seership, palmistry, fortune telling, spiritualism and spirit mediumism within the city be abolished, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage by the Commission, approval by the Mayor and posting and publication as provided by law.

Passed by the Commission of the City of Phoenix this 31st day of December, A. D. 1919.

Approved this 31st day of December, A. D. 1919.

PETER CORPSTEIN,
Mayor.

Attest:
FRANK THOMAS, City Clerk.

ORDINANCE NO. 329

An Ordinance regulating public dance halls, and providing a penalty for violation thereof, with an emergency clause.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. It shall be unlawful for the owner, proprietor or any person having charge, management or control of any public dance hall within the City of Phoenix to keep same open for the entertainment of the public or to permit any music or dancing therein between the hours of midnight of any secular day and ten o'clock in the forenoon of the following day, or to cause or permit the same to be opened for the entertainment of the public or to permit any music or dancing therein between the hours of midnight of any Saturday and ten o'clock in the forenoon of the following Monday.

Sec. 2. It shall be unlawful for the owner, proprietor or any person having charge, management or control of any public dance hall to permit any minor under the age of eighteen (18) therein, unless such minor be accompanied by parent, guardian or other person having the written consent of such parent or guardian.

Sec. 3. Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine of not to exceed three hundred ($300.00) dollars, or be imprisoned in the City Jail not to exceed one hundred eighty (180) days, or by both such fine and imprisonment.

Sec. 4. WHEREAS, there are now no regulations of public dance halls within the City of Phoenix; and,

WHEREAS, it is necessary to the public peace, health and safety of the City of Phoenix that some regulations be made, an emergency is hereby declared to exist, and this Ordinance shall become effective from and after its passage by the Commission, approval by the Mayor, publication and posting as by law required.

Passed by the Commission of the City of Phoenix this 7th day of January, 1920.

Approved this 7th day of January, 1920.

PETER CORPSTEIN,
Mayor.

Attest:
FRANK THOMAS, City Clerk.

ORDINANCE NO. 380.

An Ordinance making it unlawful for any person to occupy or cause to be occupied any residence or dwelling within the City of Phoenix unless such residence or dwelling be equipped with a water closet connected with the sewer, providing a penalty and repealing Ordinance 374, New Series, of the City of Phoenix, with an emergency clause.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. That it shall be unlawful for any person to occupy any residence or dwelling within the City of Phoenix unless such residence or dwelling be equipped with a water closet in good working order properly connected with the sanitary sewer.

Sec. 2. That it shall be unlawful for any person, either as owner or agent, or in anywise having charge or control of any residence or dwelling within the City of Phoenix, to permit or cause such residence or dwelling to be occupied by any person unless such residence or dwelling be equipped with a water closet in good working order properly connected with the sanitary sewer.

Sec. 3. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than fifty dollars or by imprisonment in the City Jail for a period not to exceed fifty days, or by both such fine or imprisonment, and each day's occupancy of any such premises shall constitute a separate offense under Section 1 and Section 2 of this Ordinance.

Sec. 4. Ordinance No. 374, New Series, of the City of Phoenix, and all Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Sec. 5. WHEREAS, it is necessary to the public peace, health and safety of the City of Phoenix that this Ordinance become immediately operative, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage by the Commission, approval by the Mayor and posting and publication as by law required.

Passed by the Commission of the City of Phoenix this 5th day of May, 1920.

Approved this 5th day of May, 1920.

WILLIS H. PLUNKETT,
Mayor.

Attest:
T. TREVILLIAN, Deputy City Clerk.

ORDINANCE NO. 398.

An Ordinance prohibiting minors under the age of sixteen years being on the streets, alleys or public places in the City of Phoenix between the hours of nine o'clock p. m. and five o'clock a. m. from October first to May first, and between the hours of ten o'clock p. m. and five o'clock a. m. from May first to October first, and providing a penalty.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. It shall be unlawful for any minor under the age of sixteen years to be upon any of the streets,

alleys or public places in the City of Phoenix between the hours of nine o'clock p. m. and five o'clock a. m. from October first to May first, and between the hours of ten o'clock p. m. and five o'clock a. m. from May first to October first, unless such minor be attending to urgent business and can give a satisfactory account of why he or she is absent from home, or be accompanied by a parent, guardian, adult relative or adult friend; and in case such minor be unaccompanied by a parent, guardian, adult relative or adult friend upon the streets, alleys or public places in the City of Phoenix between the hours of nine o'clock p. m. and five o'clock a. m. from October first to May first, and between the hours of ten o'clock p. m. and five o'clock a. m. from May first to October first, attending to some urgent business and can give a satisfactory reason for being away from home, it shall be unlawful for such minor to loiter or linger or ride aimlessly upon the streets, alleys or public places in the City of Phoenix, but such minor must transact such business as speedily as possible.

Sec. 2. At the hour of nine o'clock p. m. from October first to May first and at the hour of ten o'clock p. m. from May first to October first, a bell shall be rung by the City as a warning to such minors and their parents or guardians that the curfew hour has arrived, but failure on the part of the city authorities to ring such bell or a failure on the part of any such minor or his or her parents or guardian to hear such bell shall be no excuse for such minor being upon the street, alleys or public places in the City of Phoenix between the hours of nine o'clock p. m. and five o'clock a. m. from October first to May first and between the hours of ten o'clock p. m. and five o'clock a. m. from May first to October first.

Sec. 3. Any such minor who shall violate the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and for the first offense shall be warned by the Chief of Police or one of his assistants and sent home, but for the second offense he or she shall be brought before the City Magistrate, who shall thereupon certify the case to the Juvenile Court in and for the County of Maricopa, as provided in Title XXVII, Revised Statutes of Arizona, 1913, to be dealt with as therein provided.

Sec. 4. All Ordinances and parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Sec. 5. This Ordinance shall be in force and effect from and after its passage and publication as required by law.

Passed by the Commission of the City of Phoenix this 7th day of July, 1920.

Approved.

WILLIS H. PLUNKETT,
Mayor.

Attest:

HELEN C. FAHEY, Deputy City Clerk.

ORDINANCE NO. 529.

An Ordinance regulating the holding of boxing or wrestling matches within the City of Phoenix, creating a boxing commission, defining its powers and duties, providing fines and penalties for violation of the provisions of this Ordinance, and repealing Ordinances in conflict herewith, with an emergency clause.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. No person, firm, corporation or association shall give or promote any boxing or wrestling match within the City of Phoenix, to which an admission charge is made, unless a permit shall first be obtained from the City Commission so to do; and no person shall engage in any such boxing or wrestling match either as contestant, principal, manager, second or promoter, unless a permit shall have been issued as herein provided for the holding of said boxing or wrestling match, provided that no such boxing or wrestling match shall be held within the city on Sunday.

Sec. 2. At least five (5) days prior to the holding of any boxing or wrestling match or exhibition, the person, firm, corporation or association promoting, holding or giving such boxing or wrestling match or exhibition shall give notice in writing of the proposed performance to the Chief of Police, who shall transmit the same to the Boxing Commission, which said Boxing Commission, or at least three (3) members thereof, shall attend such performance, match or exhibition, and see that the requirements of this Ordinance are complied with. Such notice shall contain the names of the principals.

Sec. 3. There is hereby constituted a Boxing Commission, which shall be composed of the Chief of Police and four (4) members to be appointed by the Commission of the City of Phoenix to serve at the pleasure of the City Commission, which members shall serve without pay. The Chief of Police shall be ex officio chairman of said Boxing Commission, and it shall be the duty of said Boxing Commission, or a majority of the members thereof, to make and enforce all rules and regulations governing the holding of public boxing and wrestling contests to be held within the corporate limits of the City of Phoenix, to attend all such boxing or wrestling matches, to supervise all such boxing or wrestling matches, and such Boxing Commission, or a majority thereof, shall have the power to stop any or all boxing or wrestling matches if it appears to them that such match is a sham or a fake match. Or in case of disorder or breach of the peace, or in event any of the provisions of this ordinance have not been complied with by any promoter or participant; and the members of the Boxing Commission shall, at all times, be admitted to all training quarters, arenas and other places where boxing or wrestling matches are held, without an admission charge.

Sec. 4. No permit, as hereinbefore provided for, shall be issued by the said City Commission unless the

same shall have been first submitted to the Boxing Commission for its recommendations, and the failure of any person, firm, corporation or association holding such permit to comply with any of the rules and regulations so provided by said Boxing Commission, or their failure to maintain good order at any and all matches conducted by them shall be considered sufficient grounds for the revocation by the City Commission of such permit.

Sec. 5. Every person who shall engage in, or in any way encourage, aid or assist in the holding of any boxing or wrestling match or exhibition, or who shall engage either as contestant, principal, manager, second or promoter, in any such wrestling match or exhibition for which a permit shall not have been issued as herein provided, or any person who shall participate, either as promoter, contestant or second, in any sham or fake boxing or wrestling match or exhibition, shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine not exceeding one hundred dollars ($100) or by imprisonment not exceeding thirty (30) days, or by both such fine and imprisonment.

Sec. 6. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Sec. 7. Whereas, the preservation of the public peace, health and safety of the City of Phoenix require that this ordinance shall become effective immediately upon its passage, an emergency is hereby declared to exist, and this Ordinance shall be exempt from the provisions of the referendum, and shall take effect and become operative from and after its passage by the Commission, approval by the Mayor and posting and publication as required by the Charter of the City of Phoenix.

Passed by the Commission of the City of Phoenix this 13th day of October, 1921.

Approved.

WILLIS H. PLUNKETT,
Mayor.

Attest:

FRANK THOMAS, City Clerk.

ORDINANCE NO. 531.

An Ordinance amending Ordinance No. 440, entitled "An Ordinance prohibiting the erection of tents, tent houses and similar structures within the City of Phoenix," etc.

Be it ordained by the Commission of the City of Phoenix, as follows:

That Ordinance No. 440, entitled "An Ordinance prohibiting the erection of tents, tent houses and similar structures within the City of Phoenix, providing a penalty, with an emergency clause," be amended so as to read as follows:

Section 1. It shall be unlawful for any person to erect within the corporate limits of the City of Phoenix

any tent, tent house or similar structure, or to use the same for dwelling, sleeping or storage purposes; provided, however, that the City Commission may grant temporary permits for the erection of any such structures upon lots upon which there are no other structures.

Sec. 2. Any person violating the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine not to exceed twenty-five ($25.00) dollars or by imprisonment.

Sec. 3. Whereas, there is no adequate provision for the restriction of dangerous and inflammable structures in the City of Phoenix; and,

Whereas, it is necessary to the public peace, health and safety that such restrictions become immediately operative;

Now, therefore, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage by the Commission, approval by the Mayor and posting and publication as by law required.

Passed by the Commission of the City of Phoenix this 19th day of October, 1921.

Approved this 19th day of October, 1921.

WILLIS H. PLUNKETT,
Mayor.

Attest:

FRANK THOMAS, City Clerk.

ORDINANCE NO. 453.

An Ordinance forbidding any person within the vicinity of any hospital, indicated by street signs or markings, from making any unnecessary noise likely to disturb the quiet of any inmate of such hospital.

Be it ordained by the City Commission of the City of Phoenix, as follows:

Section 1. The City Manager is hereby empowered to cause suitable street signs or markings to be placed on or along streets near or upon which any hospital is situated, warning the public of the proximity of any such hospital and indicating the general direction in which said hospital is situated. Any person who shall make or cause to be made any unnecessary noise calculated to disturb the quiet of any inmate of any such hospital at any place between any such sign and such hospital or at any place situated within the general area indicated by such signs or markings to be in the vicinity of any such hospital, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding $100.00 or by imprisonment not exceeding thirty days, or by both such fine and imprisonment.

Sec. 2. It appearing that there is no existing Ordinance upon the subject, and it further appearing that there is an immediate necessity for the passage of this Ordinance in order to safeguard and promote the health of the inhabitants of Phoenix, an emergency is hereby declared to exist and this Ordinance is hereby declared

to be exempt from the referendum provisions of the City Charter, and this Ordinance is made to take effect immediately upon its passage, approval and publication as required by law.

Passed by the City Commission of the City of Phoenix this twenty-third day of February, 1921.

Approved.

WILLIS H. PLUNKETT,
Mayor.

Attest:
FRANK THOMAS, City Clerk.

ORDINANCE NO. 455.

An Ordinance regulating blasting within the City of Phoenix, with an emergency clause.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. It shall be unlawful for any person to set off or explode any charge of dynamite, nitroglycerin, TNT or other explosive within the City of Phoenix without the permission of the City Commission first had and obtained.

Sec. 2. Whereas, it is necessary to the peace, health and safety of the City of Phoenix and of its citizens and inhabitants that promiscuous blasting within the city be prevented; now, therefore,

An emergency is hereby declared to exist and this Ordinance shall be exempted from the provisions of the referendum and shall be in full force and effect from and after its passage by the Commission and posting and publication as by law required.

Passed by the Commission of the City of Phoenix this 9th day of March, 1921.

Approved this 9th day of March, 1921.

WILLIS H. PLUNKETT,
Mayor.

Attest:
FRANK THOMAS, City Clerk.

CHAPTER 2

TRAFFIC

ORDINANCE NO. 105.

An Ordinance regulating the use of the streets and alleys of the City of Phoenix by self-propelled motor vehicles and street railway cars carrying passengers or freight for hire, and providing for the licensing of such vehicles and for penalty for violation of this Ordinance.

Be it ordained by the Commission of the City of Phoenix, as follows:

Auto Carriage

Section 1. An auto-carriage is hereby defined to be a self-propelled motor vehicle, other than an auto-stage, auto-bus, or a street or railway car, and traversing the public streets of the City of Phoenix and conveying passengers for hire from points within the City of Phoenix to other points within or without the City of Phoenix, and for such charges and compensation not in excess of those by this Ordinance fixed, but which motor vehicle shall not be operated between fixed or definite termini or upon any fixed or definite schedule.

Auto Stage

An auto-stage is hereby defined to be a self-propelled motor vehicle, other than an auto-carriage, auto-bus, or a street or railway car and traversing the public streets of the City of Phoenix between a certain definite and fixed terminal within the City of Phoenix and to or through certain definite towns or cities outside of the City of Phoenix upon a definite schedule, and used and maintained for the carriage of passengers and freight, or either of them, between such termini and intermediate points for a fixed charge or scale of prices for such service, but which shall not carry any passengers or freight, for hire or otherwise, between its terminal within the City of Phoenix and any other point or points within the City of Phoenix.

Auto Bus

An auto-bus is hereby defined to be a self-propelled motor vehicle other than an auto-carriage, auto-stage or a street or railway car, and traversing the public streets of the City of Phoenix, and the immediate vicinity thereof, between certain definite points or termini and conveying passengers for a fixed charge of not more than five cents between such termini and intermediate points, and so held out, advertised or announced within the City of Phoenix, and not to exceed five cents per mile or fraction thereof to points in the vicinity of the City of Phoenix.

Common Carriers

Each auto-carriage, auto-stage, and auto-bus is hereby declared to be a common carrier, and subject to the regulations herein prescribed.

Permit

Sec. 2. Before operating any auto-carriage, auto-stage, or auto-bus as such upon any of the public streets

or alleys of the City of Phoenix, the owner or lessee thereof shall apply for and obtain a permit therefor from the City Manager of the City of Phoenix as herein provided, and every operator or chauffeur of any such vehicle shall obtain an operator's permit as herein provided.

Application

Sec. 3. Applications for an auto-carriage, auto-stage or auto-bus permit and license shall be made in writing and filed with the City Clerk, and shall state:

a. The type of motor vehicle and the name of the manufacturer or popular name thereof.

b. The horse power thereof.

c. The factory number and State license number thereof.

d. The seating capacity thereof according to its trade rating.

e. The name of the owner or lessee and of the person to be in immediate charge thereof as operator or chauffeur.

f. Whether the driver is physically and otherwise qualified to drive any such motor vehicle safely, and that the driver of such vehicle is familiar with the streets of the City and the routes over which it is proposed to operate said auto-carriage, auto-stage, or auto-bus, and is familiar with and will observe and comply with the traffic laws, ordinances and rules of the City of Phoenix, and of the State of Arizona.

If the application be for an auto-stage or auto-bus permit and license, it shall, in addition to the foregoing, state the route or routes proposed to be followed in transporting passengers and freight, or either of them, and the termini of such route or routes. Also the fares to be charged for the transporting of passengers and freight between the said termini and intermediate points along said route or routes. Also the schedule to be observed, showing the times of departure from termini, according to which it is proposed to operate such auto-bus or auto-stage. Also transfer points, if transfers are proposed to be used.

Each of such applications shall be signed under oath by the applicant and shall be acknowledged before a notary public or some other officer or magistrate duly authorized to take acknowledgments or administer oaths.

At the same time and in the same manner as herein provided, application shall be made for an operator's permit by each and every operator or chauffeur of an auto-carriage, auto-stage or auto-bus.

Bond or Insurance

Sec. 4. As amended by Ordinance 142. In order to insure the safety of the public it shall be unlawful for any owner or lessee of any auto-carriage, auto-stage or auto-bus to operate, or cause the same to be operated, in, over or along the streets of Phoenix, or to obtain a permit therefor, unless he shall have taken out, and have in full force and effect at all times while such owner or lessee is operating or causing to be operated such auto-carriage, auto-stage, or auto-bus, a policy of insurance in some reputable and reliable insurance company authorized to do

business in the State of Arizona, insuring such owner or lessee against damages arising out of the unlawful or negligent operation of any auto-carriage, auto-stage, or auto-bus for which permit shall issue to such owner or lessee, and suffered by any person or persons not employed by such owner or lessee. Such policy shall be in amount not less than $5,000 for each vehicle for which permit shall be applied for, except that when one owner or lessee shall apply for a permit for more than two vehicles in any one class, such policy shall be taken in a sum of not less than $2,500.00 for each vehicle named in such application. All such policies shall be submitted to the City Manager for approval and if he approve the same, he shall endorse such approval on each said policy which shall remain on file thereafter in the office of the City Clerk.

The City Manager may not approve any such policy if he has reason to believe that the company issuing the same is not a reliable or responsible one, or if such policy may not be construed as an agreement certain to pay promptly with or without the consent of the insured any and all final judgments that may be had against the insured for damages on account of bodily injuries or death at any time resulting therefrom, occurring during the life of such policy, and suffered by any person or persons not employed by the owner or lessee, and which shall be caused by or result from the unlawful or negligent operation of any vehicle described and enumerated therein, which shall be the same as those for which permit shall be applied for. Before approving any such policy, the City Manager may require a written statement, signed by some responsible officer of the insurance company issuing the same, apart from the policy itself, that the latter is to be construed as such an agreement; and no bond shall be approved unless it shall be agreed both by the insurance company through its agent and by the insured, that before any cancellation of such policy shall become effective notice in writing thereof shall be given to the City Manager.

If such owner or lessee shall elect, he may, in lieu of taking out such insurance policy, give a bond, in a like amount as herein provided for such insurance policy, payable to the city, with two or more sureties or with a surety company as surety, which by its terms shall inure to the benefit of any and all persons suffering loss or damage through the unlawful or negligent operation of any auto-carriage, auto-stage or auto-bus for which such owner or lessee shall obtain permit and which shall be conditioned that such owner or lessee shall pay all damages that may result to any person on account of bodily injuries or death caused by the unlawful or negligent operation of any such auto-carriage, auto-stage or auto-bus. The form of such bond must be approved by the City Attorney and the sureties thereon approved by the City Manager.

By the term unlawful or negligent operation, as herein used, is meant anything done or omitted to be done

by the owner or lessee, or by the servant or employee of such owner or lessee including the driver of each vehicle for which permit shall issue, which shall render such owner or lessee liable in damages in a court of law to any person or persons injured thereby.

Sec. 5. The City Manager shall without unnecessary delay cause an investigation to be made of each such application and shall grant the same:

a. Unless it shall appear that the vehicle for which the permit be applied for be inadequate or unsafe for the purpose intended, or insufficiently equipped with skid chains or other safety devices; or,

b. If the bond herein required be insufficient to properly safeguard the public interest and safety.

c. That the operator be incompetent, reckless, untrustworthy, or not familiar and acquainted with the streets of the City of Phoenix or the route or routes over which the said auto-carriage, auto-stage, or auto-bus be intended to operate, or be not familiar and acquainted with the laws of the State of Arizona, and the ordinances and rules of the City of Phoenix, relative to the operation and management of motor vehicles; or,

d. If the driver be not physically or otherwise qualified to drive any such vehicle safely.

License Fee

Sec. 6. As amended by Ordinance 419. Upon the granting of a permit, as herein provided, the holder thereof shall present the same to the City Assessor and ex-officio City Collector, who shall furnish to the said applicant, if he be owner or lessee, a metal permit for the operation of an auto-carriage, auto-stage, or auto-bus, as the case may be, or if he be an operator or chauffeur, an operator's metal badge, to enable the lawful operation of such motor vehicle; provided, however, that before any such metal permit be issued by the City Assessor and ex-officio City Collector, the owner or licensee of each and every auto-carriage, auto-stage, auto-bus, shall pay to the City Collector the annual license fee therefor, which is hereby fixed as follows:

For each auto-carriage, auto-stage or auto-bus having a seating capacity of seven passengers or less the sum of fifteen ($15.00) dollars per annum, payable in advance.

For each auto-carriage, auto-stage or auto-bus having a seating capacity of more than seven and not exceeding twelve passengers the sum of twenty-five ($25.00) dollars per annum, payable in advance.

For each auto-carriage, auto-stage or auto-bus having a seating capacity exceeding twelve but not exceeding sixteen passengers, the sum of thirty-five ($35.00) dollars per annum, payable in advance.

For each auto-stage, auto-carriage or auto-bus having a seating capacity of more than sixteen and not more than twenty passengers the sum of forty ($40.00) dollars per annum, payable in advance.

And for each auto-carriage, auto-stage or auto-bus having a seating capacity exceeding twenty passengers

the sum of fifty ($50.00) dollars per annum, payable in advance.

And the year for which said license fees be severally due and payable shall begin on the first day of October of each and every year and end upon the thirtieth day of September following.

The license fee herein provided shall be prorated by quarters, and any applicant applying for a license hereunder during the quarter beginning January 1st of any one year, shall be entitled to receive the same upon paying three-quarters of the annual license fee herein fixed and provided for; or if application be made for license during the quarter beginning April 1st of any year then upon payment of one-half of the annual license fee herein fixed and provided; or if application be made during the quarter beginning July 1st of any one year then upon payment of one-fourth of the annual fee herein fixed and provided.

Chauffeur's Requirements

Sec. 7. Every person desiring to operate an auto-carriage, auto-stage, or auto-bus, as a chauffeur or operator within the City of Phoenix, shall first be properly authorized and registered as an operator or chauffeur, and shall have an operator's metal chauffeur's badge, issued by the State of Arizona, as provided by the statutes of Arizona, and particularly paragraph 5136, Revised Statutes of Arizona, 1913, and a chauffeur's metal badge issued by the City of Phoenix hereunder, and shall wear such badges pinned upon the outside of his clothing in a conspicuous place at all times while he is operating any such motor vehicle upon the public highways of the City of Phoenix or the route or routes to be traveled upon; and such person must also be of the age of not less than eighteen years, and upon making application for such permit to operate such motor vehicle shall give his full name, age and address, and present satisfactory evidence to the City Manager that he is registered as a chauffeur under the laws of Arizona and is otherwise competent and qualified under the provisions of this ordinance, and if such permit be granted by the City Manager, the City Assessor and ex-officio City Collector shall issue to such applicant a metal operator's badge, and an identification card, bearing his name and address and the date when such permit was issued and the date when such permit expires, and the number of the operator's badge issued by the city, and which said card shall be at all times carried by the said person when operating any such motor vehicle thereunder, and shall be exhibited by him, upon demand, to any officer of the City of Phoenix or to any passenger or to any person suffering or sustaining injury by, through or from any such vehicle so handled or operated by such person.

Penalties

Sec. 8. It shall be unlawful:

a. To drive, operate, or cause to be driven or operated any auto-carriage, auto-stage or auto-bus, over, upon or along any street, alley, or public highway, within the City of Phoenix, unless there be outstanding a valid existing license and operator's permit for each such auto-

carriage, auto-stage, or auto-bus, obtained as in this ordinance provided.

b. To drive or operate or cause to be driven or operated any auto-carriage, auto-stage, or auto-bus, while there be attached thereto any trailer or any other passenger or freight carrying vehicle.

c. To permit passengers to ride upon the running board or fenders of any auto-carriage, auto-stage, or auto-bus, or to carry a greater number of passengers than the regular seating capacity of such vehicle as designated by the manufacturer thereof, and it shall be unlawful for any person to ride upon the running board of any auto-carriage, auto-stage or auto-bus.

d. For any auto-stage or auto-bus to refuse to carry any person offering himself or herself at any regular or proper stopping point to be transported and tendering proper fare therefor to some other regular or proper stopping point, or for any auto-carriage to refuse to carry any person offering himself or herself to be transported to some place or point within the City of Phoenix and who tenders the proper fare therefor; unless at the time such offer and tender be made the seats of such vehicle be fully occupied, or the person so offering and tendering be in an intoxicated condition or suffering from any contagious, infectious, or loathsome disease, or be of a notoriously lewd or immoral character, or at the time of such offer be conducting himself or herself in a loud, boisterous or unseemly manner, or be using lewd, indecent or profane language; and in either or any of which said events such vehicle shall not transport or carry such objectionable person if at the time of such offer there be any other passenger in such vehicle, nor shall such vehicle permit any other person of proper demeanor and condition to be carried or transported in such vehicle while any such objectionable person is being carried or transported therein.

e. For any person operating any auto-stage or auto-bus to ask, demand, charge or receive a greater fare for the carriage of passengers or freight than that mentioned in the application for license, and than that printed upon the sign carried upon the auto-bus or auto-stage.

f. For any person owning or having in charge, or operating or causing to be operated, any auto-carriage, auto-stage or auto-bus, over, upon or along any public street or highway within the City of Phoenix, without having attached thereto a bell or horn of size and weight sufficient to insure its being distinctly heard when rung or sounded at a distance of at least one hundred feet.

g. For any auto-stage, auto-carriage or auto-bus to charge any person either more or less than the regular charges fixed by ordinance or more than the charges held out or published to be charged by any such vehicle, the intent of this provision being to prohibit any discrimination whatever, and no free passes or transportation shall be given or allowed by any such vehicle; provided, however, that children under six years of age may not be charged for at all, nor shall such children be counted or

classed as passengers so far as the capacity of any such vehicle shall be concerned.

h. For any person owning or operating or causing to be operated, any auto-carriage, auto-stage, or auto-bus, within the City of Phoenix, to allow or permit any reckless, incompetent or inexperienced person to act as operator or chauffeur of any such vehicle.

i. For any person, driving or operating any auto-carriage, auto-stage, or auto-bus, over, upon or along, the streets or highways of the City of Phoenix, to smoke any cigar, pipe, cigarette, or burn any tobacco, while passengers are occupying any of the seats of such vehicle.

j. For any person driving or operating any auto-stage or auto-bus and holding himself out to carry passengers for hire from point to point, to drive or operate such auto-stage or auto-bus for hire over a route or between the termini, or according to a schedule other than the route, termini or schedule described in his license, or to deviate from such route, or to fail to maintain such schedule, or to fail, refuse or neglect after commencing any trip, to operate such auto-stage or auto-bus between the termini and over the entire route or routes specified in the application for permit and license and mentioned on the sign herein provided to be carried by auto-stages and auto-busses, unless the failure to maintain such schedule or to complete such trip, shall be the result of unavoidable accident, or the breaking down of such motor vehicle.

Provided, however, that such persons may transfer passengers to any other auto-stage or auto-bus used to complete such route or trip as herein provided, only a single fare being charged for the entire trip between the specified termini.

k. To operate or cause to be operated any auto-carriage, auto-stage or auto-bus, upon slippery pavements or upon wet and slippery streets, unless such vehicle be equipped with adequate brakes and with efficient non-skidding devices.

l. For any person owning, operating or driving, or causing to be operated or driven, any auto-carriage, auto-stage, or auto-bus, to permit the same to remain standing upon any street or highway within the City of Phoenix for the purpose of loading or unloading passengers, unless the side of said motor vehicle nearest to the right hand curb of such street be within two feet distant from such curb, on all curbed streets.

m. For any person, after ten days from and after this ordinance shall become effective, to maintain or operate any auto-stage or auto-bus within, to or from the City of Phoenix, unless he shall carry on the front of such auto-stage or auto-bus a sign plainly lettered, giving the route to be traveled, the termini of such route, the termini fare charged, and the city license number of such motor vehicle, and which said sign shall be subject to the approval of the City Manager.

Termoinals

Sec. 9. Applicants for license and permit for an auto-stage or an auto-bus, shall have such termini within

the City of Phoenix and follow such route and observe such schedule within the City of Phoenix, as shall best promote and further the comfort, convenience and welfare of the citizens and inhabitants of the City of Phoenix, and which said termini, route and schedule shall be subject to the approval of the City Manager and of the City Commission, before license and permit be granted and issued, and where, at the time application for license and permit be made, there be then in operation over any street or streets desired to be traversed by such applicant, any street railway car or cars, or any other auto-stage or auto-bus, then the City Manager shall not grant such application without the consent of the City Commission first had and obtained; and as a condition to the granting of any such permission by the City Commission, such applicant shall in writing agree to operate such auto-stage or auto-bus between such termini within the city and along such route and upon such schedule, as shall least conflict or interfere with the business and the successful operation of such street railway car, auto-stage or auto-bus, and shall further operate the same upon such schedule of arrival and departure at such termini and at such intermediate points, as shall promote the comfort and convenience of the inhabitants and citizens of the City of Phoenix, as may be determined by the City Commission.

Sec. 10. The City Manager is hereby empowered, in cases of fire, accidents, parades, obstructions on, breaks in, or repairs of any streets or highways in the City of Phoenix, or in the event of any emergency, or to prevent accidents or congestion of traffic, or in case of any public necessity, to temporarily divert and route all auto-stages and auto-busses, from their regular routes, to and upon such streets, as in his judgment be necessary or expedient, and the drivers and operators of such auto-stages and auto-busses are hereby required to observe and follow the direction of the City Manager in such respect.

Liquor

Sec. 11. Any motorman, conductor, operator or chauffeur who, while under the influence of liquor shall operate any street railway car, auto-carriage, auto-stage, or auto-bus, upon or along any street or highway within the City of Phoenix, or who shall operate any such vehicle or car in a reckless or dangerous manner, or who shall in any manner whatsoever violate this ordinance or the traffic ordinances, laws, or regulations of the City of Phoenix, shall forfeit his right to the city operator's badge and identification card hereinbefore provided for, if such violator be an operator or chauffeur, and any owner of auto-carriage, auto-stage or auto-bus, thereafter permitting such chauffeur or operator to operate or remain in charge of such motor vehicle shall forfeit the permit issued for the vehicle so operated; and if such violator be such motorman or conductor, he shall be guilty of a misdemeanor.

Reckless Driving

Cancellation of Permit

Sec. 12. Any permit issued under the provisions hereof or of any other ordinances of the city may and shall be revoked and canceled by the City Commission for any violation of the provisions of this ordinance, or for

the failure to pay any judgment for damages arising from the unlawful or negligent operation of the motor vehicle for which the permit was issued, or for any violation of the traffic ordinances and regulations of the City of Phoenix, or of the laws of the State of Arizona now in force or hereafter adopted, and the City Commission, whenever in their opinion the public interest and safety may require, may revoke any permit issued under the provisions of this ordinance or of any ordinance of the City of Phoenix.

General Penalty

Sec. 13. Each and every person, firm, association or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof be punished by a fine of not more than one hundred dollars ($100.00) or by imprisonment in the City Jail for a period of not more than three months, or by both such fine and imprisonment.

Sec. 14. All ordinances and parts of ordinances in conflict herewith are hereby repealed and this ordinance shall be in full force and effect from and after its passage by the Commission and its approval by the Mayor, and publication and posting as required by the City Charter.

WHEREAS, the present ordinances of the City of Phoenix are inadequate, and it is therefore necessary for the protection of the public peace, health and safety that this ordinance shall become immediately effective;

NOW, THEREFORE, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage by the Commission, approval by the Mayor, and publication and posting as required by law.

Passed by the Commission of the City of Phoenix this 19th day of January, 1916.

Approved this 19th day of January, 1916.

GEO. U. YOUNG,
Mayor.

Attest:
FRANK THOMAS, City Clerk.

ORDINANCE NO. 141.

An Ordinance authorizing the City Manager to permit auto-carriages and auto-busses to operate between points within the City of Phoenix and places of public resort, recreation and amusement within or without the City of Phoenix upon public holidays and upon other occasions when the public comfort and convenience so require, and making it unlawful for any auto-bus or auto-stage to solicit passengers on the streets of Phoenix, with an emergency clause.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. That on all public holidays and on other occasions when the public comfort and convenience so requires, the City Manager may permit any auto-carriage then operating under the provisions of the ordinances of the City of Phoenix to be operated between points within

the City of Phoenix and places of public resort, recreation or amusement within or without the City of Phoenix as auto-busses for the carriage of passengers for hire between such points; and he may permit any auto-bus then operating under the provisions of the ordinances of the City of Phoenix to be diverted from such route as it may then be traversing to be operated between points within the City of Phoenix and places of public resort, recreation or amusement within or without the City of Phoenix for the carriage of passengers for hire between such points.

Sec. 2. Before any auto-carriage or auto-bus may take advantage of the provisions of the foregoing section, the owner or operator thereof shall apply for and receive from the City Manager a special permit to so operate such auto-carriage or auto-bus, and such permit shall be issued only on condition that the operator of the auto-carriage or auto-bus shall obey all orders of the City Manager in regard to route or routes to be traveled, schedule to be maintained, fare to be charged and termini between which such vehicle may run; however, that in no event shall the maximum fare to be charged for the carriage of passengers on auto-busses as provided by ordinances of the City of Phoenix be exceeded; and provided further that all ordinances of the City of Phoenix relative to the use of the streets of the City of Phoenix by auto-carriages and auto-busses be obeyed. And it shall be a misdemeanor for any person having the charge, management or control of any auto-carriage or auto-bus operating under the provisions of this ordinance to refuse, fail or neglect to obey the orders of the City Manager given as provided in this ordinance.

Sec. 3. It shall be unlawful for any auto-bus, auto-carriage or auto-stage to be driven or propelled over or along any of the streets of the City of Phoenix in the solicitation of passengers, but all such vehicles shall, between trips, be kept at such stand as may have been allotted to it by the City Manager, and it shall be unlawful for any person operating, controlling or riding upon any auto-carriage, auto-bus or auto-stage to cry out upon the streets of the City of Phoenix the destination of any such vehicle, the fare charged, or in any manner by word of mouth to call the attention of the public to such vehicle or its destination for the purpose of securing passengers, while such vehicle is being driven or propelled upon the streets of the City of Phoenix.

Sec. 4. The terms auto-carriage, auto-bus and auto-stage as used in this ordinance shall be taken to mean the same classes of vehicles as defined by Ordinance No. 105 (New Series) of the City of Phoenix.

WHEREAS, the necessity exists for the immediate regulation of vehicles carrying passengers from points within the City of Phoenix to places of public resort, recreation and amusement; and,

WHEREAS, the immediate necessity exists for the regulation of the use of the streets by vehicles, auto-carriages, auto-busses and auto-stages in the solicitation of passengers for such vehicles, and the public safety

requires the suppression of such practice; and,

WHEREAS, it is necessary for the preservation of the public peace, health, safety and comfort that this ordinance take immediate effect, an emergency is hereby declared to exist, and this ordinance shall be exempted from the provisions of the referendum and shall take effect and be in full force and effect from and after its passage by the Commission, approval by the Mayor, and publication as provided by law.

Passed by the Commission of the City of Phoenix this 7th day of July, 1916.

Approved this 7th day of July, 1916.

PETER CORPSTEIN,
Mayor.

Attest:
FRANK THOMAS, City Clerk.

ORDINANCE NO. 151.

An Ordinance prohibiting drivers of auto-carriages, auto-busses, auto-stages, busses, carriages, job wagons or express wagons from soliciting passengers, freight or baggage from incoming trains, by word of mouth, providing for permits for the carrying on of such business, the allotment of stands for such vehicles, and providing penalties for violations of the provisions thereof.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. It shall be unlawful for any person having the charge, management or control of any auto-carriage, auto-bus, auto-stage, bus, carriage, job wagon or express wagon to advertise such vehicle or call attention thereto by word of mouth, upon any street, alley or public place within the City of Phoenix for the purpose of attracting the attention of, or securing the patronage of passengers from incoming trains.

Sec. 2. Any person having the charge, management or control of any auto-carriage, auto-bus, auto-stage, bus, carriage, job wagon or express wagon who desires to operate such vehicle for the purpose of carrying passengers, freight or baggage from incoming trains at the several railroad depots in the City of Phoenix to points within or without the City of Phoenix, for hire or otherwise, shall, before engaging in such business, apply for and receive from the City Manager a permit so to do, and the City Manager shall, upon the granting of such permit, allot such permittee such stand in the vicinity of the several depots as to him may seem proper. Such allotment may be made by the said City Manager in such manner and by such method as to him may seem just, and any person other than the allottee using such stand thereafter without the consent of the allottee thereof shall be guilty of a misdemeanor.

Sec. 3. Any person violating any of the provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not

more than twenty-five dollars, or by imprisonment in the City Jail for a period of not more than thirty days, or by both such fine and imprisonment.

Passed by the Commission of the City of Phoenix this 2nd day of August, A. D. 1916.

Approved this 2nd day of August, 1916.

PETER CORPSTEIN,
Mayor.

Attest:
FRANK THOMAS, City Clerk.

ORDINANCE NO. 193.

An Ordinance providing for the placing of bicycles in racks on the streets, alleys and sidewalks of the City of Phoenix, authorizing the police to take and impound any bicycle left standing at the curb or other place, and providing for the payment of a fee on recovery of such bicycle by the owner.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. Wherever racks for the holding of bicycles are placed on any street, alley or sidewalk of the City of Phoenix, by the City Manager, each person desiring to stand or leave any bicycle within one hundred feet of any such rack must use the same and shall not be permitted to stand or lean such bicycle against any curb, pole, post, railing or wall within said distance of any such rack.

Sec. 2. It shall be the duty of every police officer of the City of Phoenix to take and impound any bicycle left standing against any curb, pole, post, railing or wall in the City of Phoenix one hundred feet of any rack referred to in Section 1 of this ordinance. Any bicycle so taken and impounded shall be returned to the owner thereof only upon identification thereof by such owner and upon payment of a fee of one dollar by such owner.

Passed by the Commission of the City of Phoenix this first day of August, 1917.

Approved this first day of August, 1917.

_____,
Mayor.

Attest:
_____, City Clerk.

ORDINANCE NO. 312

An Ordinance regulating traffic and travel upon the public streets of the City of Phoenix, repealing Ordinances Nos. 24, 178 and 156, New Series, of the City of Phoenix, together with all ordinances and parts of ordinances in conflict herewith.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. The following terms, whenever used in this Ordinance, except as otherwise specifically indicated, shall be deemed to have and shall be held to include each of the meanings respectively set thereafter in this section:

Street: Every avenue, boulevard, highway, roadway, lane, alley, strip, path, square or place used by or laid out for the use of vehicles.

Intersecting Street: Any street, except alleys, which joins another street at an angle, whether or not it crosses the other street.

Curb: The lateral boundaries of that portion of a street designated and intended for the use of vehicles, whether marked by curb construction of stone, cement, concrete or other material or not so marked.

Motor Vehicle: Shall include all vehicles propelled otherwise than by muscular power, except trailers and such vehicles as are run upon stationary rails or tracks.

Motorcycle: Shall include all motor vehicles designed to travel on not more than three wheels in contact with the ground and of not exceeding ten horsepower and not exceeding the weight of five hundred pounds unladen.

Vehicle: Shall include every wagon, hack, coach, carriage, omnibus, bicycle, tricycle, automobile, cycle car, motorcycle, truck, trailer, traction engine, tractor or other conveyance or contrivance for moving persons, animals or things in whatever manner and by whatever form or power the same may be ridden, driven, propelled, drawn or moved, which is ridden, driven, propelled, drawn or moved on the public street, including implements of husbandry temporarily drawn, propelled or moved on the public street, and excepting only conveyances drawn or propelled by pedestrians, and railroad, street or interurban cars, engines and motors moving upon stationary rails and tracks.

Driver: Every rider or driver of an animal, a rider of a bicycle or tricycle, the operator of a motor vehicle, the person in charge or control of any animal or vehicle.

Drive: To ride, drive, propel, control or operate.

Animal: Every horse, pony, donkey, mule, burro or other animal ridden or driven or capable of being guided by reins or voice.

Business District: Those certain streets and portions of streets in the City of Phoenix described as follows: Van Buren, Monroe, Adams, Washington, Jefferson, Madison, Jackson streets, from the east boundary line of Seventh street to the west boundary line of Seventh avenue; First, Second, Third, Fourth, Fifth, Sixth and Seventh avenues from the northern boundary line of Van Buren street to the southern boundary line of Jackson street; First, Second, Third, Fourth, Fifth, Sixth and Seventh streets from the southern boundary line of Jackson street to the northern boundary line of Van Buren street; and Central avenue from the southern line of Buchanan street to the northern boundary line of Roosevelt street; all alleys, courts and places in that portion of the City of Phoenix bounded by Van Buren street, Seventh street, Jackson street and Seventh avenue; Seventh avenue from the north line of Van Buren street to the north line of Polk street; Grand avenue from the northern boundary line of Van Buren street to the north boundary line of Polk street.

Congested District: Those certain streets and por-

tions of streets in the City of Phoenix described as follows: Van Buren, Monroe, Adams, Washington and Jefferson streets, between the east line of Fourth street and the west line of Fifth avenue; First, Second, Third and Fourth streets, and First, Second, Third, Fourth and Fifth avenues between the south boundary line of Madison street and the north boundary line of Van Buren street; Central avenue between the south boundary line of Buchanan street and the north boundary line of Filmore street.

Reckless Driving

Sec. 2. (a) The driver or operator of any vehicle in or upon any public street shall drive or operate such vehicle in a careful manner, with due regard for the safety and convenience of pedestrians and of all vehicles or traffic upon such street, and wherever practicable shall travel on the right hand side of such street.

Right of Way

Two vehicles which are passing each other in opposite directions shall have the right of way, and no other vehicle to the rear of either of such two vehicles shall pass, or attempt to pass, such two vehicles.

On all occasions the driver or operator of any vehicle in or upon any public street shall travel upon the right half of such street unless the road ahead on the left hand side is clear and unobstructed for at least 100 feet ahead, and in all cases while crossing an intersecting street.

(b) Vehicles proceeding in opposite directions shall pass each other to the right.

(c) Vehicles overtaking each other proceeding in the same direction shall pass to the left and shall not again drive to the right until reasonably clear of such overtaken vehicle. It shall be the duty of the driver, rider or operator of a vehicle about to be overtaken and passed to give way to the right in favor of the overtaking vehicle on suitable and audible signal being given by or on behalf of the operator, driver or other person in charge or control of such overtaking vehicle, and it shall be the duty of the operator, driver, or other person in charge and control of such overtaking vehicle to give suitable and audible signal when overtaking or passing the vehicle ahead.

(d) Vehicles must be operated so as to allow a safe distance between such vehicles and any persons, vehicles or animals preceding them upon the street.

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(e) The operator of a vehicle shall yield the right of way at the intersection of their paths to a vehicle approaching from the right, unless such vehicle approaching from the right is farther from the point of intersection of their paths than the first-named vehicle; provided, however, that all funeral and other processions and parades shall at all times have the right of way at all street intersections regardless of anything herein to the contrary.

Isles of Safety

(f) Any vehicle traveling on a public street which is divided longitudinally by a parkway or an isle of safety shall keep to the right of such parkway or isle of safety.

Turning at Intersection

(g) All vehicles approaching the intersection of a

public street with the intention of turning thereat shall, in turning to the right, keep to the right of the center of such intersection, and in turning to the left shall run beyond the center of such intersection, passing to the right thereof before turning such vehicle toward the left. For the purposes of this subdivision the center of such intersection shall be held to mean the meeting point of the medial lines of the two streets traversed by the vehicle making the turn.

Frightening Animals

(h) In passing and overtaking, such assistance shall be given by the occupants of each vehicle respectively to the other as the circumstances shall reasonably demand in order to obtain clearance and avoid accidents; every person having control or charge of any motor vehicle or other vehicle upon any public street and approaching any vehicle drawn by a horse or horses or any horse upon which any person is riding, shall operate, manage and control such vehicle in such manner as to exercise every reasonable precaution to prevent the frightening of such horse or horses and to insure the safety of any person riding or driving the same.

Passing in Intersection

(i) The operator of any vehicle shall not operate or drive the same so as to pass or overtake any other vehicle going in the same direction at any street intersection unless directed so to do by a traffic or police officer.

Slow Moving Vehicle

(j) The person in control of any vehicle moving slowly along any street shall keep such vehicle as closely as practicable to the right hand curb of such street, allowing the more swiftly moving vehicles reasonably free passage to the left.

Loads

(k) No person shall operate or drive any motor vehicle that is so loaded, covered or constructed as to obscure the driver's view of the street to the rear, nor any vehicle which is so loaded, covered or constructed that any portion thereof to the rear of the driver projects more than twelve inches beyond the extreme left side of the driver's seat unless there be placed on such vehicle a mirror so located as to reflect to the driver a view of the street for at least one hundred feet behind such vehicle.

Stopping and Turning

(l) The person in charge of any vehicle in or upon any public street, before turning, stopping or changing the course of such vehicle, and before turning such vehicle when starting the same, shall see first that there is sufficient space for such movement to be made in safety, and if the movement or operation of other vehicles may reasonably be affected by such turning, stopping or changing of course, shall give plainly visible signal to the persons operating, driving or in charge of such vehicles of his intention so to turn, stop or change his course, either by the use of his hand and arm, which shall be visible from the rear, or by the use of an approved mechanical or electric device.

When the signal required by this section is given by the use of the hand and arm the intention to turn such vehicle toward the right or the left shall be indicated by extending the hand and arm horizontally from and beyond the side of the vehicle toward which the turn is to be made, or by extending the hand and arm vertically with the hand pointing upward from the side opposite the direction to which the turn is to be made; when the signal to be given is to indicate the intention of a vehicle to stop or to abruptly or suddenly check its speed, such signal, if given with the hand and arm, shall be given by extending the hand and arm out from and beyond either side of the vehicle and pointed in a downward direction. Arm Signals

(m) In passing any railroad, interurban or street car while passengers are alighting from or boarding the same, vehicles shall be operated or driven on the right hand side of such cars and at a rate of speed not exceeding ten miles an hour, and no portion thereof or of any load thereon shall come within six feet of the running board of the steps of such cars and shall be at all times operated with due care and caution so that the safety of such passengers shall be assured; provided, however, where there have been plainly marked upon the surface of the street safety zones for the protection of such passengers, vehicles shall not at any time be operated or driven within said zones; and provided further, that such safety zones shall only be marked at street corners or at other regularly established stations or stopping places of such railroad, interurban or street cars, and shall not extend beyond seven feet from the outer rail toward the curb. Passing Street Car

(n) No vehicle except vehicles operated by the Fire Department or Police Department shall, within the business district, be turned so as to proceed in the opposite direction except at an intersection. In so turning, vehicles shall pass beyond and around the center of the intersection. Turning at Intersections

(o) Police and Fire Department vehicles and ambulances shall at all times be equipped with a siren, and it shall be unlawful for any other vehicle to be so equipped with, or to use, such a device. Sirens

(p) Ambulances and vehicles of the Police or Fire Department shall in all cases, while being operated as such, have the right of way over all other vehicles with due regard to the safety of the public; but this provision shall not protect the driver or operator of such vehicle from the consequences of the arbitrary exercise of this right, nor shall it be construed as permitting the violation by the operator of any such vehicle of any of the provisions of Section 2 of this ordinance, except the operators of police vehicles when such vehicles are being operated in the pursuit or apprehension of violators of the law or persons charged with or suspected of any such violation.

(q) Upon the approach of any police or fire department vehicle or ambulance, it shall be the duty of the Police, Fire Department Vehicles and Ambulances

operator of any street car, upon the sounding of a signal by said vehicle, to stop such street car forthwith unless at the time such street car is crossing an intersection of a public street, in which event it shall be operated so as to clear the intersection of the street and then stopped, and every other vehicle shall immediately be moved to a position as near as possible and parallel to the right hand curb and shall remain in such position until the police or fire department apparatus or ambulance has passed such vehicle; and provided that no vehicle or street, interurban or steam car be driven to or permitted to stand within a distance of one block in any direction of any block on which there may be a fire where any apparatus of the fire department is situated for the purpose of extinguishing any fire or guarding any premises on which there may have been a fire.

Fire Plug

(r) No person shall hitch or leave standing or cause or permit to be hitched or left standing any animal, or leave standing or cause or permit to be left standing any vehicle, or stop or cause or permit to be stopped any vehicle at any time upon any street within fifteen feet of any fire hydrant located upon such street or sidewalk unless such animal or vehicle is under the charge of some person capable of driving or operating the same.

Width of Tread and Load

(s) No motor or other vehicle as defined in this Ordinance shall be operated or driven on or over any public street if the outside width of tread exceeds one hundred twelve inches or if the total outside width of the bed of said vehicle and load thereon shall exceed one hundred two inches, nor shall any automobile be operated on or over any public street if any luggage, package, trunk, crate, box or other load carried thereon extends to the left side more than twelve inches beyond the body of such automobile; provided, however, that the regulations and limitations herein prescribed relative to the maximum widths of vehicles and their loads shall not apply to implements of husbandry temporarily drawn, propelled or moved upon the street; and provided further, that loads not exceeding ten feet in width of loosely piled material not crated, baled, boxed, sacked, or carried otherwise than loosely in bulk, may be carried upon vehicles in the street; provided, that the extreme width of such vehicles, including any loading racks thereon, shall not exceed one hundred twenty inches, as hereinbefore prescribed.

Repairing on Streets

(t) No person shall leave standing, or cause or permit to be left standing, upon the main-traveled portion of any public street a vehicle undergoing repair or which has been stopped for the purpose of having repairs made thereon; provided, however, that this provision shall not apply to a vehicle which shall be disabled while on such main-traveled portion of the street, in such manner and to such extent that it shall be impossible to avoid stopping such vehicle on such main-traveled portion of such street and impracticable to remove the same until repairs shall have been made.

(u) The provisions of subdivisions (a), (b), (c), (d), (e), (f), (g), (h), (i) and (j) of this section shall be applicable to the rider of every animal ridden upon the public street to the end and effect that the same duties, rules and regulations imposed thereon upon the drivers or operators of vehicles upon the public streets, including the care to be executed in driving or operating vehicles, the portion of the street upon which they shall travel, the right of way as between vehicles passing or overtaking each other, or upon approaching intersections, the duty of giving away in favor of overtaking vehicles, the manner of turning at intersections and at other places upon the street, and of stopping or changing the course of the vehicles and the duties imposed upon operators or drivers of vehicles in passing railroad, interurban or street cars, shall be imposed, and they are hereby imposed, upon the riders of animals upon the public streets.

(v) No vehicle shall be operated on any public street unless it is so constructed as to prevent its contents from dropping, sifting, leaking or otherwise escaping from such vehicle.

Hotel, Theater and Office Buildings

(w) It shall be unlawful for any person to leave standing, or cause or permit to be left standing, any animal or vehicle in any street within twenty-five feet of a point on the curb opposite the entrance of any hospital, or in that portion of the street in front of the lobby of any theater or entrance of any office building, or within ten feet on each side of the prolongation of the side lines of such lobby during the presentation of any play, opera, or entertainment in such theater.

Reckless Driving

Sec. 3. Any person operating or driving a motor or other vehicle on the public streets shall operate or drive the same in a careful and prudent manner and at a rate of speed not greater than is reasonable and proper, having regard to the traffic and the use of the street, and no person shall operate or drive any vehicle on a street at such rate of speed as to endanger the life or limb of any person or the safety of any property; provided, that it shall be unlawful to operate or drive any motor vehicle within the congested district at a rate of speed in excess of fifteen miles per hour, or without the congested district and in the business district at a rate of speed in excess of twenty miles per hour, and in all other portions within the city at a rate of speed in excess of twenty-five miles per hour; and no person shall operate or drive a motor or other vehicle upon any street at a greater rate of speed than ten miles an hour in traversing any steam, electric or other railway crossing at grade, or while traversing any block on which there is situate a public school, or church during hours of worship.

Speed Limits

Warning Device

Sec. 4. Every motor vehicle shall be equipped with a bell, gong, horn, whistle, or other device in good working order, capable of emitting an abrupt sound adequate in quality and volume to give warning of the approach of such vehicle to pedestrians and to the riders or drivers of animals or of other vehicles and to persons entering or leaving street, interurban and railroad cars. Every person

operating a motor vehicle shall sound said bell, gong, horn, whistle or other device whenever necessary as a warning of danger, but not at other times, or for any other purpose.

Brakes

Sec. 5. All motor vehicles must be provided at all times with adequate brakes kept in good working order.

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Vehicles Prohibited

Sec. 6. Other than on vehicles actually engaged at the time in construction or repair work on public highways, no tire on any motor or other vehicle operated or drawn on or over any public street shall have on its periphery any block, stud, flange, cleat, ridge, bead or any other protuberance of metal or wood which projects beyond the tread or traction surface of the tire, and no vehicle or implement running on wheels or discs shall be operated, driven, drawn or propelled over or along any street unless the periphery of such wheel or disc shall be at least one inch in width; but this section shall not be so construed as to prohibit the use of tire chains of reasonable proportions on motor vehicles when required for safety, by reason of conditions tending to cause such motor vehicle to slide or skid; provided, however, that traction engines or tractors, the propulsive power of which is exerted not through wheels resting upon the ground, but by means of a flexible band or chain, known as a movable track, may be operated upon the public streets with transverse corrugation upon the periphery of said movable tracks, on condition that a permit shall first have been obtained from the Superintendent of Streets so to do.

Muffler

Sec. 7. Every motor vehicle must have devices in good working order which shall be at all times in constant operation to prevent excessive or unusual noise, annoying smoke and the escape of gas, steam or oil, as well as the falling out of residue from fuel, and all exhaust pipes carrying exhaust gases from the engine shall be directed parallel to the ground or slightly upward. Devices known as "muffler cut-outs" shall not be used within the limits of the city.

Intoxication, Drugs

Sec. 8. No person who is under the influence of intoxicating liquor, and no person who is an habitual user or under the influence of narcotic drugs, shall operate or drive a motor or other vehicle on any public street within the city.

Penalty

Any person violating the provisions of this section shall be punished by a fine of not less than one hundred dollars and by imprisonment in the City Jail for a period of not less than ten days.

Standing in Street

Sec. 9. No person having control or charge of a motor vehicle shall allow such vehicle to stand in any public street unattended without first effectively setting the brakes thereon and stopping the motor of said vehicle.

Stopping Vehicle

Sec. 10. It shall be unlawful for the driver of any vehicle to stop the same, or to cause or permit the same to be stopped in or upon any street unless the wheels of such vehicle nearest the curb are not more than one foot distant from such curb; provided, however, that the provisions of this section shall not apply in case of emer-

gency or when such stop is made for the purpose of allowing another vehicle or street car or interurban railway car or pedestrian to pass in front of such vehicle so stopping, or when in compliance with the signal or order of a police officer.

City Vehicles

Sec. 11. It shall be unlawful for the driver of any vehicle standing at the curb of any street to fail or refuse to give way promptly to a vehicle that has stopped for the purpose of receiving or discharging passengers, freight or merchandise, or to give way promptly to any vehicle under the control of the City of Phoenix employed in sweeping or sprinkling or in collecting garbage.

Alleys

Sec. 12. The driver of any vehicle entering any alley within the business district running east and west shall enter such alley from the street extending along the easterly side of the block through which such driver desires to pass; the driver of any vehicle entering any alley within the business district running north and south shall enter such alley from the street extending along the northerly side of the block through which such driver desires to pass; and it shall be unlawful for any person to drive, or to cause or permit to be driven, any vehicle in an easterly or in a northerly direction in, along or upon any alley within the business district, or to leave any such alley from the easterly or northerly end thereof; and in no instance shall any vehicle be backed out of any alley.

Parking

Sec. 13. It shall be unlawful for any person to drive, or to cause to be driven, in, upon or along any street within the business district of the city, any vehicle in a backward direction.

Age

Sec. 14. It shall be unlawful for any person under the age of sixteen years to drive any motor vehicle in, upon, along or over any public street; and it shall be also unlawful for any person to cause or permit any motor vehicle to be driven in, upon, over or along any public street or other public place by any person under the age of sixteen years.

Lights

Sec. 15. (a) Where there is not sufficient light within the lateral boundaries of the public street to reveal all persons, vehicles or other substantial objects within said boundaries for a distance of at least two hundred feet, and all times during the period from a half hour after sunset to a half hour before sunrise, every automobile while on the public street shall carry at the front at least two lighted lamps, and every such automobile and every trailer, at the times and under the conditions in this section hereinbefore specified, shall carry at the rear a lighted lamp exhibiting a red light plainly visible, under normal atmospheric conditions, for a distance of five hundred feet toward the rear and so constructed and placed that the number plate carried on the rear of such automobile or trailer shall be illuminated by a white light in such manner that the number thereon can be plainly distinguished under normal atmospheric conditions at a distance of not less than fifty feet toward the rear; provided, however, that where more than one trailer is

Tail Lights

attached to a motor vehicle, only the rear trailer shall be required to exhibit said light.

Horse-Drawn Vehicles

At the times and under the conditions in this section hereinbefore specified, all other vehicles, except bicycles, motorcycles and motor trucks of two tons carrying capacity or over which are so governed or mechanically constructed or controlled that they cannot exceed a speed of fifteen miles an hour, shall carry one or more lighted red lamps or lanterns so arranged that said red lamp or lamps shall be visible from every direction for a distance of not less than two hundred feet.

Bicycles

(b) At the times and under the conditions in this section hereinbefore specified, every bicycle while on the public highway shall carry a lighted lamp visible under normal atmospheric conditions at least three hundred feet in the direction toward which such bicycle is faced, and shall also carry at the rear of such bicycle a reflex mirror or a lighted lamp exhibiting a red light plainly visible under normal atmospheric conditions for a distance of at least two hundred feet toward the rear.

Motorcycles

(c) At the time and under the conditions in this section hereinbefore specified, every motorcycle while on the public highway shall carry at the front at least one lighted lamp which shall give a light of sufficient power and so distributed as provided in subdivision (f), and shall also carry at the rear of such motorcycle a lighted lamp, exhibiting a red light plainly visible under normal atmospheric conditions for a distance of at least two hundred feet toward the rear.

Motor Trucks

(d) At the time and under the conditions in this section hereinbefore specified, every motor truck of two tons carrying capacity or over, which is so governed or mechanically constructed or controlled that it cannot exceed a speed of fifteen miles per hour, shall carry at the front at least two lighted lamps which shall be visible at least two hundred feet in the direction in which the motor truck is proceeding, and when the vehicle is proceeding on a street or highway not so lighted as to reveal any person, vehicle or substantial object on the street or highway straight ahead of such motor truck for a distance of at least two hundred feet, such front light shall be sufficient to reveal any person, vehicle or substantial object on the road straight ahead for a distance of seventy-five feet or over, and shall be equipped with a tail light such as is required on other motor vehicles.

Overhanging Loads

(e) In any case where a motor or other vehicle shall be loaded with any material in such a manner that any portion of such load extends toward the rear four feet or more beyond the rear of the bed or body of such vehicle, there shall be displayed at the extreme end of the load, at the times and under the conditions in this section hereinbefore specified, in addition to the ordinary rear or tail light hereinbefore required to be displayed on such vehicle, a red light plainly visible under normal atmospheric conditions at least two hundred feet from the rear; provided, further, that at other times while such vehicle is upon the highway a red flag or cloth not less

than sixteen inches in length nor less than sixteen inches in width shall be displayed at the extreme rear end of said load as a warning signal to persons operating vehicles approaching from the rear. Red Flag

(f) At the times and under the conditions in this section hereinbefore specified the headlights of all automobiles upon the streets shall give a light of sufficient power and so distributed as provided herein in addition to and irrespective of any other requirements concerning headlights in this section contained. The term "headlight" as used herein shall denote any light, located upon any portion of the said motor vehicle other than on the windshield, the windshield supports or top thereof, the rays of which are projected forward, except side lights of not to exceed four candle power; provided, further, anything to the contrary notwithstanding, that where there is sufficient light within the lateral boundaries of the public street to reveal all persons, vehicles or substantial objects within said boundaries for a distance of two hundred feet, no lights shall be required to be displayed on any vehicle while the same is not in operation, providing that a wheel of such standing vehicle nearest the sidewalk is located within twelve inches of such sidewalk. Headlights; Side Lights; When Lights Not Required

(g) The headlights of motor vehicles shall be so arranged, adjusted and constructed, when the car is fully loaded, that any pair of headlights under the conditions of use must produce a light which: Candle Power

1. When measured on a level surface on which the vehicle stands at a distance of two hundred feet directly in front of the car and at some point between the said level surface and a horizontal passing through the top of the headlight reflector or lens is not less than one thousand two hundred apparent candle power.

2. When measured at a point one hundred feet directly in front of the car, and at a height of sixty inches above the level surface on which the vehicle stands, does not exceed two thousand four hundred apparent candle power, nor shall this value be exceeded at a greater height than sixty inches.

3. When measured at a distance of one hundred feet ahead of the car and seven feet or more to the left of the axis of same, and at a height of sixty inches above the level surface on which the vehicle stands, does not exceed eight hundred apparent candle power.

(h) Any device or adjustment used in connection with a light upon a motor vehicle to enable the same to comply with the requirements of subdivision (f) hereof shall not be used upon a motor vehicle operated upon the streets of this city until the same shall have been approved and a minimum and maximum candle power gas filled or vacuum light therein to be used specified and ordered by the City Manager, and a proper method of adjusting such device prescribed by the City Manager. Tests of Devices for Controlling

(i) The term "spot lights" as used herein shall denote any light fastened to the windshield, the windshield support or top of a motor vehicle, the rays of Spot Lights

which are projected forward, except side lights of not to exceed four candle power.

All spot lights used upon motor vehicles shall be so constructed or arranged that no portion of the main, substantially parallel beam of light, when measured one hundred feet or more ahead of said lights, shall rise or shall be capable of being raised from the driver's seat, to more than forty-two inches above the level surface upon which the vehicle stands directly ahead of such vehicle.

Tampering with Motor Vehicle

Sec. 16. (a) Any person who shall, individually or in association with one or more others, wilfully break, injure, tamper with or remove any part or parts of any motor vehicle, for the purpose of injuring, defacing or destroying such vehicle, or temporarily or permanently preventing its useful operation, or for any purpose against the will or without the consent of the owner of such vehicle, or who shall in any other manner wilfully or maliciously interfere with or prevent the running or operation of such vehicle, shall be guilty of a misdemeanor.

Climbing Upon Motor Vehicle

(b) Any person who shall, without consent of the owner or person in charge of a motor vehicle, climb upon or into such vehicle, whether the same be in motion or at rest; or who, while such vehicle is at rest and unattended, shall attempt to manipulate any of the levers, the starting crank, or other device, brakes or mechanism thereof, or to set said vehicle in motion, shall be guilty of a misdemeanor.

Notice of Dismantling

Sec. 17. Before any person, firm or corporation shall wreck, dismantle or dissemble any motor vehicle, or substantially alter the form thereof, such person, firm or corporation shall give notice in writing, upon forms to be furnished by the Police Department, of the intention so to do, to the Chief of Police.

Parking

Sec. 18. (a) The City Manager is hereby empowered to make and promulgate rules and regulations regarding the parking of vehicles within the congested and business district of the city, that, in his discretion, may be reasonably calculated to prevent accidents, congestion of traffic and unnecessary interference with the use of the streets within said districts. He may, in his discretion, restrict the parking of vehicles along certain curbs on certain blocks within said districts to a period not to exceed thirty minutes. Wherever it shall be determined by said City Manager that no vehicles shall be allowed to be parked along any curb on any block for a period in excess of thirty minutes, he shall cause a sign to be affixed on some prominent place, plainly visible to persons approaching such block, which shall contain, in letters not less than two inches in height, the words and figures as follows:

"PARKING PERMITTED ON THIS BLOCK FOR ONLY THIRTY MINUTES."

The City manager may also provide for the parking of vehicles on and along streets within said districts in places marked out on the pavement of said streets, and

which places shall be known as parking stalls. Wherever parking stalls are provided they shall be entered from the direction of the traffic and left in the direction of the traffic. In no case shall any vehicle be backed from any such stall; no such stall shall be occupied by any vehicle of greater length than eighteen feet, nor shall any such stall be occupied by any vehicle for the purpose of sale.

The word "block" as used in this section shall be held to mean and is hereby declared to mean that portion of any street between two intersecting streets.

Penalty

(b) Any person, firm or corporation who shall violate any such rule or regulation made and promulgated as hereinabove provided, shall be deemed guilty of a misdemeanor, and upon conviction shall be punished for the first offense by a fine of two dollars; and for the second offense by a fine of five dollars; and for all subsequent offenses by a fine of ten dollars or by imprisonment in the City Jail for a period not to exceed thirty days, or by both such fine and imprisonment.

Loafing

Sec. 19. It shall be unlawful for any person or persons to loaf, loiter or congregate upon the traveled portion of any street within the City of Phoenix so as to obstruct or impede the free use and passage through and along the same by any person lawfully using or to use the same.

Direction of Officer

Sec. 20. Drivers of vehicles and motormen of street cars and interurban railway cars must at all times comply with any direction given by whistle, voice or hand, of any police officer, or of any sign or signal used for directing traffic, as to stopping, starting, approaching and departing from any place in any street, and as to direction, position and speed.

It shall be unlawful for any person driving, using or having control of any vehicle, or for any motorman or other person running, operating or having charge or control of any street car or interurban railway car or train of cars, to fail, refuse or neglect to obey the order or direction of any police officer in regard to moving or stopping any such vehicle or any such street car or interurban railway car or train of cars in or upon any street.

It shall be unlawful for the driver of any animal or vehicle to fail, neglect or refuse to stop such animal or vehicle in obedience to any signal from any police officer stationed at the street corner over which such driver proposes to cross, or for any such driver to fail, neglect or refuse to stop any such animal or vehicle under his charge or control at least six feet behind any other animal or vehicle which has stopped in obedience to any such signal.

It shall be unlawful for the driver of any animal or vehicle which has stopped in obedience to a signal given by a police officer, to start such animal or vehicle until such driver has received a signal from such police officer to proceed.

It shall be unlawful for the driver of any vehicle standing along or near the curb of any street within the business district to fail, neglect or refuse to move such

vehicle away from such curb when requested so to do by any police officer.

Driving Cattle Through Streets

Sec. 21. It shall be unlawful for any person to take or drive, or to cause or permit to be taken or driven, along any of the streets of the city, or portions thereof, north of Jackson street, any horses, mules, asses, cattle, sheep, goats, or swine, or any other live stock; provided, that this section shall not apply to horses, mules, asses or other work animals which are ridden, or which are driven while properly hitched, harnessed or attached to a vehicle or to a machine or implement designed to be operated or propelled by animal power; nor shall this section prohibit the carrying or transporting of any such animal or animals through the streets of the city while securely inclosed in a car or vehicle, or the leading of any such animal through the streets of the city when the same is securely fastened by rope, chain or halter; and, provided, further, that the provisions of this section shall not apply to parades for which a license fee is paid.

General Penalty

Sec. 22. Unless otherwise specifically provided herein, any persons violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding three hundred dollars or by imprisonment in the City Jail not exceeding one hundred eighty days, or by both such fine and imprisonment.

Sec. 23. Ordinances Nos. 24, 178 and 156, together with all Ordinances and parts of Ordinances in conflict herewith are hereby repealed; provided, however, that no act committed or prosecution instituted under the provisions of any Ordinance heretofore existing shall abate by reason of the passage of this Ordinance.

Passed by the Commission of the City of Phoenix this 5th day of November, 1919.

Approved this 5th day of November, 1919.

C. W. BARNETT,
Vice-Chairman.

Attest:
FRANK THOMAS, City Clerk.

ORDINANCE NO. 397.

An Ordinance providing for the guarding of railroad grade crossing within the City of Phoenix; providing a penalty for violation thereof, and with an emergency clause.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. It shall be the duty of the superintendent, manager or person having locally the charge or management of any steam railroad whose tracks run within the corporate limits of the City of Phoenix to keep a guard or guards or to maintain gates, as hereinafter provided, at all street intersections of such railroad within the City of Phoenix whereat such railroad maintains a grade crossing as shall by resolution of the Commission be designated from time to time.

Sec. 2. If in said resolution guards be ordered to be placed at any such grade crossing then said guards shall be kept at said crossing during such hours of the day or night as may be designated in said resolution. It shall be the duty of such guard or guards to give timely warning to all vehicles and pedestrians approaching such railroad crossing from either direction of the approach or movement of any train, engine, car, handcar or rolling stock into or across any such street intersection so as to make said crossing temporarily dangerous, and it is hereby made the duty of any driver of any such vehicle and of any such pedestrians to obey the directions of any such guard and to refrain from crossing said track or attempting to cross said track when notified or signaled by any such guard not to do so until the latter shall have indicated that the danger from the moving of said train, engine, car, handcar or rolling stock has ceased to exist.

Sec. 3. If the gates be ordered to be maintained in such resolution such gates shall be installed within thirty days from the date of the order of the Commission and each day's failure to install and operate such gates thereafter shall constitute a separate and distinct violation of the provisions of this section. Such gates shall be efficiently attended at such times of the day or night as may be designated in said resolution, and the same shall be closed whenever any train, engine, car, handcar or rolling stock is being moved into or across such intersection.

Sec. 4. It shall be unlawful for any person having the management or direction of the movement of any train, engine, car, handcar, or of any rolling stock whatsoever to cause or permit such train, engine, car, handcar or rolling stock to be moved into or across any street intersection whereat the gates are ordered by the Commission to be established unless such gates have been closed in such manner as to prevent vehicles or pedestrians from entering upon the right of way of such railroad; and it shall be unlawful for any conductor, engineer, fireman, brakeman, switchman, yardman or any other person to move or cause or permit to be moved any train, engine, car, handcar or rolling stock into or across such intersection unless said gates are effectually closed so as to prevent vehicles or pedestrians from entering upon such railroad right of way.

Sec. 5. During the time herein provided for the installation of gates and prior to the installation thereof, no train, engine, car, handcar or any railroad rolling stock whatsoever shall be moved into or across any of the street intersections whereat gates are ordered to be installed unless there shall be stationed at such intersection a flagman who shall be visible at all times from each direction approaching such intersection, who shall give warning to all vehicles and pedestrians approaching such railroad tracks from either direction; and it shall be unlawful for any person having the management or direction of the movement of any train, engine, car, handcar, or rolling stock, or for any engineer, conductor, fireman, brakeman, switchman, yardman or other person whomsoever, to move

or cause or permit to be moved any such train, engine, car, handcar or other rolling stock into or across any street intersection unless such flagman be stationed as herein provided, and unless such crossing be clear of all vehicles and pedestrians.

Sec. 6. Any person who shall wilfully disregard or fail to observe the direction of any such guard in the matter of crossing or attempting to cross any such railroad crossing as provided in Section 1 shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not to exceed twenty-five dollars or by imprisonment in the City Jail for a term not to exceed ten days or by both such fine and imprisonment.

Sec. 7. It shall be unlawful for any person having the management or direction of the movement of any train, engine, car, handcar or of any rolling stock, to "spot" or stand or cause or permit any railroad car to be "spotted" or stood in or across any street intersections in the City of Phoenix whereat there is a railroad grade crossing.

Sec. 8. Any person violating any of the provisions of this Ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed three hundred dollars ($300) or by imprisonment in the City Jail for a term not to exceed one hundred and eighty days, or by both such fine and imprisonment.

Sec. 9. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Sec. 10. Whereas, no provision exists at certain railroad grade crossings within the City of Phoenix for the safety of pedestrians and vehicles approaching or crossing steam railroads being operated within the City of Phoenix; and,

WHEREAS, it is necessary to the immediate preservation of the public peace, health and safety of the City of Phoenix and for the safeguarding of life and limb of the citizens and inhabitants of said City of Phoenix, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage by the Commission, approval by the Mayor, and posting and publication as required by law.

Passed by the Commission of the City of Phoenix this 7th day of July, 1920.

Approved.

WILLIS H. PLUNKETT,
Mayor.

Attest:

HELEN C. FAHEY, Deputy City Clerk.

ORDINANCE NO. 416.

An Ordinance Requiring participants in motor accidents to report the same to the Police Department.

Be it ordained by the City Commission of the City of Phoenix, as follows:

Section 1. That whenever any motor vehicle acci-

dent shall occur within the City of Phoenix the driver of any such vehicle shall report the same to the police Department within one hour after said accident shall occur unless such driver be prevented from making such report by reason of injuries received in any such accident.

Sec. 2. Any person who shall fail or neglect to give the notice required in Section 1 hereof shall be guilty of a misdemeanor and be punished by a fine of not more than twenty-five ($25.00) dollars or by imprisonment in the City Jail for not more than ten days or by both such fine and imprisonment.

Passed by the City Commission of the City of Phoenix this 20th day of October, 1920.

Approved.

WILLIS H. PLUNKETT,
Mayor.

Attest:

FRANK THOMAS, City Clerk.

ORDINANCE NO. 423.

An Ordinance limiting the parking of auto-carriages, regulating the conduct of same, and providing penalties.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. Ninety days after the passage of this Ordinance it shall be unlawful for any person, acting either as owner or driver of any auto-carriage, to stand or park such auto-carriage at any curb within the congested district of the City of Phoenix for a period of more than thirty (30) minutes, and such auto-carriage shall be permitted to park at the curb for thirty (30) minutes while awaiting the order of passengers only;

Provided, however, that one auto-carriage may be permitted to stand at the curb adjacent to any hotel in the congested district containing 50 (50) or more rooms, provided the owner thereof shall have first procured the consent of the management of such hotel in writing.

Sec. 2. It shall be unlawful for the occupant of any premises within the City of Phoenix to take or receive from the owner or driver of any auto-carriage, or from anyone in behalf of such owner or driver, any rent, fee or reward, either in money or any other thing of value, for permission to occupy the curb in front of such premises as a stand for such auto-carriage.

Sec. 3. Any person violating any of the provisions of Sections 1 and 2 of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than twenty-five ($25.00) dollars, nor more than one hundred ($100.00) dollars, or by imprisonment in the City Jail for not less than five (5) days nor more than thirty (30) days, or by both such fine and imprisonment.

Sec. 4. It shall be unlawful for any person having charge or control of any auto-carriage to use or permit such auto-carriage to be used for any immoral purpose, or

to procure or offer to procure any person for an act of prostitution, or to take or offer to take any money, reward or other thing of value from any known prostitute, or to carry or transport any known prostitute over or along any street in the City of Phoenix, either for compensation or otherwise, and any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not to exceed three hundred dollars ($300) and by imprisonment in the City Jail for a period of not less than thirty (30) days nor more than one hundred eighty (180) days, or by both such fine and imprisonment.

Passed by the Commission of the City of Phoenix this 3d day of November, 1920.

Approved this 3d day of November, 1920.

WILLIS H. PLUNKETT,
Mayor.

Attest:

FRANK THOMAS, City Clerk.

ORDINANCE NO. 429.

An Ordinance regulating the rates of fare to be charged by taxicabs or "for-rent" cars to points within the city limits of the City of Phoenix.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. The rates of fare which the owner, operator or driver of any taxicab, auto-carriage or "for-rent" car carrying passengers between points within the city shall not in any case exceed the following: For a distance of twelve city blocks or less the fare shall not exceed fifty (50c) cents per passenger; for a distance exceeding twelve city blocks and not exceeding eighteen city blocks the fare shall not exceed seventy-five (75c) cents per passenger; for any distance over eighteen city blocks the fare shall not exceed one ($1.00) dollar per passenger.

Sec. 2. Each said owner, operator or driver of any such taxicab, auto-carriage or "for-rent" car carrying passengers for hire between points within the city shall keep displayed, in such manner as to be easily seen and read by any passenger carried in any said taxicab, auto-carriage or "for-rent" car, a card on which shall be printed the following:

"NOTICE TO PASSENGERS..

"The maximum rates of fare that the owner, operator or driver of this car may charge under Ordinance No. 429 of the City of Phoenix are as follows:

"For a distance of twelve city blocks or less the fare shall not exceed fifty (50c) cents per passenger.

"For a distance exceeding twelve city blocks and not exceeding eighteen city blocks the fare shall not exceed seventy-five (75c) cents per passenger.

"For any distance over eighteen city blocks the fare shall not exceed one ($1.00) dollar per passenger."

Sec. 3. Any owner, operator or driver of any such taxicab, auto-carriage or "for-rent" car who shall make

any charge in excess of the rates provided for in Section 1 hereof or who shall fail, neglect or refuse to comply with the requirements of Section 2 hereof shall be guilty of a misdemeanor and be punishable by a fine of not more than fifty dollars or by imprisonment in the City Jail for not more than thirty days or by both such fine and imprisonment.

Passed by the Commission of the City of Phoenix this 10th day of November, 1920.

Approved.

WILLIS H. PLUNKETT,
Mayor.

Attest:
FRANK THOMAS, City Clerk.

ORDINANCE NO. 430.

An Ordinance defining and regulating express or job wagons.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. That an express or job wagon, as used in this Ordinance, shall be taken to mean any vehicle, whether propelled by mechanical or animal power, engaged in the business of hauling baggage, freight or packages from and to points within the City of Phoenix for hire.

Sec. 2. Before engaging in the business of operating an express or job wagon, the owner thereof shall first make application to the City Collector for a license so to do. Such application shall be made in writing, and shall contain:

(a) A description of the vehicle to be used, and the number of such vehicles.

(b) The name of the owner of such vehicle and of the person in immediate charge thereof.

(c) The place at which said vehicle is kept in the ordinary course of business.

(d) Whether or not the driver is physically or otherwise qualified to operate any such vehicle safely, and whether or not the driver of such vehicle is familiar with the streets of the city, and is familiar with and will observe and comply with the traffic laws, Ordinances and rules of the City of Phoenix and of the State of Arizona.

Such application shall be signed under oath by the applicant, and acknowledged before a Notary Public or other officer duly authorized to take acknowledgments or administer oaths.

Before a license shall issue, the applicant shall file with the City Collector a policy of insurance in some reliable and reputable insurance company authorized to do business in the State of Arizona, insuring the owner or lessee of such express or job wagon against damages arising out of the unlawful or negligent operation of any such express or job wagon for which a permit shall issue, suffered by any person or persons not employed by such owner or lessee. Such policy shall be in amount not less than five hundred dollars ($500), where one wagon only

is operated by the applicant, and not less than one thousand dollars ($1,000) where more than one wagon is operated by such applicant; and shall further insure all persons employing such job or express wagon for the carriage of baggage, freight or parcels against loss caused by the negligence or dishonesty of the person in immediate charge and control of such express or job wagon; in lieu of such policy of insurance, such applicant may file with the City Collector a surety bond properly executed by two or more good and sufficient sureties who shall qualify in the manner as provided by the State of Arizona for sureties on bail bonds. Such bonds shall be approved as to form by the City Attorney, and as to sufficiency by the City Collector. When such bond has been furnished and approved as herein provided, or such policy of insurance has been furnished as herein provided, the City Collector shall make out and deliver to such applicant over his own signature a license to conduct the business of a job or express wagon, and such license shall state the number and kind of vehicles used and the place of business of the applicant.

Sec. 3. Any person conducting the business of a job or express wagon, and not having a regular place of business, may occupy a stand on any street within the city assigned to him by the Police Department of the city, provided, however, that no person shall be permitted to occupy as such stand any portion of any street north of the south line of Washington street, or any portion of Central avenue from Jackson street north to the city limits.

Sec. 4. Any person, firm, or corporation violating any of the provisions of this Ordinance, or engaging in the business of job or express wagon without having first made application and filed his policy of insurance on bond, as herein provided for and having received his license as herein provided, shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than twenty-five dollars ($25), or by imprisonment in the City Jail for a period of not less than twenty-five (25) days, or by both such fine and imprisonment.

Passed by the Commission of the City of Phoenix this 17th day of November, 1920.

Approved this 17th day of November, 1920.

WILLIS H. PLUNKETT,
Mayor.

Attest:

FRANK THOMAS, City Clerk.

CHAPTER III

PART I —BUILDING

PART II.—PLUMBING AND GAS FITTING

PART III.—ELECTRIC INSTALLATION

PART 1. BUILDING.

ORDINANCE NO. 42.

An Ordinance permitting certain frame structures within the fire limits of the City of Phoenix.

Be it ordained by the City Commission of the City of Phoenix, as follows:

Section 1. No frame or wooden structure shall hereafter be built within the fire limits as established, or as may hereafter be established, except the following, and all such structures shall conform to any additional requirements deemed necessary by the City Inspector of Buildings:

(a) Temporary one-story buildings for use of builders.

(b) Amended by Ordinance 199.

(c) Wooden Fences not over six feet high. Corrugated iron fences not over ten feet high.

(d) Amended by Ordinance 199.

(e) Roof Gardens: Roof gardens consisting of a pavilion or series of pavilions may be erected on the roofs of buildings of classes A, B and C construction, of four stories or more in height, subject to the special permission and approval of the City Inspector of Buildings, providing that such structure shall not constitute an undue fire hazard. Such structure must be of substantial construction with metal frame work. Wherever such roof gardens shall be built the roof must be capable of sustaining a live load of not less than sixty pounds to the square foot, and shall be subject to an actual test of one and one-half times said live load, if so required by the City Inspector of Buildings.

(f) Interior Frame Partitions: Non-bearing board partitions extending not to exceed two-thirds of the height from floor to ceiling. The space above such partitions may be closed with wire netting, metal grills, or glass set in wood sash or frames. Such partitions shall not be used to separate occupancies.

(g) Pavilions: Pavilions of substantial construction intended for recreation purposes, open on at least three sides, may be built within the fire limits of the city unless in the judgment of the City Inspector of Buildings such structure will constitute an undue fire hazard or menace. The floor of such pavilion shall not be more than four feet above the grade of the adjoining street.

(h) Reviewing Stands, Band Stands and Speakers' Platforms of substantial construction may be erected by special permission from the City Manager.

Sec. 2. Whereas, the immediate operation of this Ordinance is necessary for the preservation of the public peace, health and safety, an emergency is hereby declared

to exist, and this Ordinance shall be in full force from and after its passage by the Commission and approval by the Mayor, and is hereby exempt from the referendum provision of the City Charter.

Passed by the Commission of the City of Phoenix this 26th day of April, 1915.

Approved this 26th day of April, 1915.

GEORGE U. YOUNG,
Mayor.

Attest:

FRANK THOMAS, City Clerk.

ORDINANCE NO. 107.

An Ordinance fixing the fire limits districts of the City of Phoenix and repealing all Ordinances in conflict therewith.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. Amended by Ordinance 197.

Sec. 2. General Fire Limits: That all that portion of the City of Phoenix within the following described boundaries, to-wit: Commencing at the intersection of the center line of Seventh street with the center line of the alley north of Buchanan street, running thence along the center line of Seventh street to the intersection of the center line of Seventh street with the center line of Van Buren street, thence west along the center line of Van Buren street to the intersection of the center line of Van Buren street with the center line of Fourth street, thence north along the center line of Fourth street to the intersection of the center line of Fourth street with the center line of Polk street, thence west along the center line of Polk street to the intersection of the center line of Polk street with the center line of Third street, thence north along the center line of Third street to the intersection of the center line of Third street with the center line of Taylor street, thence west along the center line of Taylor street to the intersection of the center line of Taylor street with the center line of First street, thence north along the center line of First street to the intersection of the center line of First street with the center line of Filmore street, thence west along the center line of Filmore street to the intersection of the center line of Filmore street with the center line of Fourth avenue, thence south along the center line of Fourth avenue to the intersection of the center line of Fourth avenue with a point one hundred and fifty feet (150) north of the northerly side line of Van Buren street, thence westerly along the south side lines of lots seven (7) of La Villa Place, eight (8) and seven (7) of Orchard Grove, and four (4) of Orchard Place, thence southwesterly across Sixth avenue to a point being the northeast corner of Tract "A" of Williams Subdivision, thence in a westerly direction along the north side line of said Tract "A" to a point intersecting the center line of Seventh avenue, all of said La Villa Place, Orchard Grove, Orchard Place and Williams Subdivision,

being portions of Bennett Addition to the City of Phoenix, thence north along the center line of Seventh avenue to the intersection of the center line of Seventh avenue with the center line of Polk street, thence west along the center line of Polk street to the intersection of the center line of Polk street with the center line of Ninth avenue, thence south along the center line of Ninth avenue to the intersection of the center line of Ninth avenue with the center line of Jackson street, thence east along the center line of Jefferson street to the intersection of the center line of Jefferson street with the center line of Eighth avenue, thence south along the center line of Eighth avenue to the intersection of the center line of Eighth avenue with the center line of Madison street, thence east along the center line of Madison street to the intersection of the center line of Madison street with the center line of the alley west of Seventh avenue, thence south along the center line of the alley west of Seventh avenue to a point where, if said alley continued through, such line would intersect the center line of Harrison street, thence east along the center line of Harrison street to the intersection of the center line of Harrison street with the center line of Seventh avenue, thence south along the center line of Seventh avenue to the intersection of the center line of Seventh avenue with the center line of Grant street on the east, thence east along the center line of Grant street to the intersection of the center line of Grant street with the center line of Third avenue, on the north, thence north along the center line of Third avenue to the intersection of the center line of Third avenue with the center line of Buchanan street, thence east along the center line of Buchanan street to the intersection of the center line of Buchanan street with the center line of Central avenue, thence north along the center line of Central avenue to the intersection of the center line of Central avenue with the center line of the alley the intersection of the center line of said alley with the center line of Seventh street, being the place of beginning, shall be and constitute the General Fire Limits of the City of Phoenix.

Passed by the Commission of the City of Phoenix this 25th day of January, 1916.

GEORGE U. YOUNG,
Mayor.

Attest:
FRANK THOMAS, City Clerk.

ORDINANCE NO. 113.

An Ordinance defining the powers and duties of the City Inspector of Buildings, prescribing and regulating the manner, methods and mode of construction, altering, repairing and moving of buildings and structures within the City of Phoenix, providing for the issuance and revocation of building permits, and providing for the inspection and condemnation of buildings and other structures within the City of Phoenix whenever dangerous to property, life or limb, and providing penalties for violation of the provisions hereof and

repealing Ordinance No. 322, Old Series, and repealing Ordinances and parts of Ordinances in conflict herewith, and with an emergency clause.

Be it ordained by the Commission of the City of Phoenix, as follows:

PART 1.

THE CITY INSPECTOR OF BUILDINGS—DUTIES, POWERS.

Section 1. Right to Enter Buildings: The City Inspector of Buildings and Fire Chief and their respective assistants shall have the right to enter any building or any and all parts thereof, already erected or in the process of construction, alteration or removal, or any place of public assembly, at any reasonable time, especially when occupied by the public, in order to properly perform their respective duties.

And it shall be unlawful for any person to refuse such admission to such officers, or to throw obstacles in the way of such officers, while lawfully engaged in the performance of their duties.

Sec. 2. Unsafe Buildings, Etc.: Whenever, in the opinion of the City Inspector of Buildings, any building, wall, chimney, smokestack, structure or part thereof, in the City of Phoenix, shall be from any cause whatever, in a situation or condition dangerous to life or property, or shall be deemed unsafe to life or limb or for the purpose for which it is used, or shall be in danger of fire from any defect in its construction, the City Inspector of Buildings, shall in writing, notify the owner, lessee or occupant or his, her, their or its agents, or the person having control of such building, wall, chimney, smokestack, structure, or part thereof, to remove, demolish or repair the same forthwith. Any such person receiving such notice shall immediately, or within such time thereafter as may be specified by the City Inspector of Buildings, comply with the requirements of such notifications.

Sec. 3. Failure to Comply With Notice: Should any such owner, lessee, occupant, or his, her, their or its agents, or the person having control of any such buildings, wall, chimney, smokestack, structure or part thereof, fail, neglect or refuse to immediately after receiving such notice, or as soon as the City Inspector of Buildings shall have specified as the time in which such work shall be commenced, commence such work and complete the same as speedily as practicable and in such manner as to render such dangerous building, wall, chimney, smokestack, structure, or part thereof safe, such person so failing, neglecting or refusing as aforesaid, shall be deemed guilty of a misdemeanor and the said City Manager shall cause such work to be done at the expense of the City of Phoenix, and under the supervision of the City Inspector of Buildings, which expense shall constitute a charge against and a lien upon such property, and collectible as city taxes are collected.

Sec. 4. Buildings Damaged by Fire, Etc.: Whenever, in the opinion of the City Inspector of Buildings, any

building or structure, not of Classes A or B, and in the Special Fire Limits, be damaged by fire or any other cause, to the extent of thirty per cent or more of its value, or any building or structure in the General Fire Limits not of Classes A, B or C construction, and not used exclusively as a residence, be damaged by fire or otherwise, to the extent of fifty per cent or more of its actual value, the City Inspector of Buildings shall immediately give notice in writing to the owner or owners of such building, or to his, her, their or its agents, or to the person having control thereof, to remove or demolish such building or structure, or in lieu thereof to make such extensive alterations as to accord fully with the provisions of the class of buildings required for such district. If the building shall have been damaged by fire, the person receiving such notice shall immediately following the fire adjustment thereon, comply with the requirements of such notice. If such damage be not caused by fire, the requirements of such notice shall be complied with within forty-eight hours after the receipt of such notice.

Sec. 5. Emergency Cases of Dangerous Buildings: Whenever the decision and order in writing of the City Inspector of Buildings as to the safety of any building or structure, or any part thereof, is made in a case of so urgent a nature that a failure to promptly carry out his orders to demolish or strengthen such building, structure or part thereof, may endanger life, limb or property, such decision and order of the City Inspector of Buildings in such cases, when set forth in writing in a notice marked "Emergency" and countersigned by the City Manager, shall be absolute and final, with no recourse to arbitration, and shall be immediately complied with.

Sec. 6. Power to Close Buildings When Ordinance Is Violated: The City Inspector of Buildings or the Fire Chief shall have the power by notice in writing, to order any building or any place of public assembly to be closed where it is discovered that there exists therein any violation of the provisions of this Ordinance, until such provision be complied with.

Upon report to the City Manager by the City Inspector of Buildings or by the Fire Chief, that any order or requirement of this Ordinance in regard to theaters or places of amusement is being violated or being not complied with, in any building or place of amusement, the City Manager may revoke the license of such theater or place of amusement and cause the same to be closed.

Sec. 7. Amended by Ordinance 198.

Sec. 8. Amended by Ordinance 207.

Sec. 9. Annual Inspection of Public Buildings: The City Inspector of Buildings shall inspect or cause to be inspected at least annually all public school buildings, public halls, churches, theaters, and all buildings, or structures used either for manufacturing or commercial purposes, also all hotels, apartment houses and other buildings occupied by large numbers of persons, for the purpose of determining the safety of the building or

structure, or any parts or appliances or equipment thereof, the sufficiency of the doors, passageways, elevators, aisles and stairways, and generally the facilities for egress in case of fire or other accident, the strength of the floors, appliances for the extinguishment of fires and for resisting the spread of fire, and shall make return of all violations of the several provisions of this Ordinance to the City Manager for prosecution, and shall incorporate a history of all proceedings in annual reports to said City Manager.

Sec. 10. Examination of Buildings Upon Complaint of Citizens: It shall be the duty of the City Inspector of Buildings, upon notice in writing to him given by any citizen, that the doors or stairways in any public or semi-public building or structure, place of amusement, hotel or other such place, factory, workshop, or any place of employment, are insufficient for the escape of employes, persons in attendance or occupants, in case of fire or panic, or that the funnels, flues or fire-boxes, or heating or lighting apparatus, or any other apparatus or condition in any such building or structure in the City are insecure and dangerous, or that any part of any such building, structure or place in the City of Phoenix is in an unsafe and dangerous condition, or in anywise not in conformity with the provisions of this Ordinance, to make an examination of such place, structure or building, and if he shall determine it necessary after such inspection, he shall give notice in writing to the owners, occupants, agents or lessees of such place or building to make such changes, alterations or repairs as the public safety or the Ordinances of the City of Phoenix may require, and it shall be unlawful to continue the use of such building until the changes, alterations or repairs found necessary by the City Inspector of Buildings to make such building or part thereof safe, or to bring it into compliance with the provisions of this Ordinance, shall have been made.

Sec. 11. Unsafe Construction or Violation of Ordinances May Be Stopped: The City Inspector of Buildings shall have the power by notice in writing to stop the construction of any building, structure or place, or the making of any alterations or repairs of any building, structure or place within said City when the same is being done in a reckless or careless manner, or in violation of any Ordinance of said City, or without a proper permit, and to verbally order any and all persons in any way or manner whatever engaged in so constructing, altering, removing or repairing any such building, structure or place, to stop and desist therefrom forthwith, and said work shall be resumed only upon the written permission of the City Inspector of Buildings.

Sec. 12. Smoke Nuisance to Be Abated: Whenever, in the judgment of the City Inspector of Buildings, or upon the complaint in writing of residents of the vicinity wherein any smokestack, chimney, flue or stove pipe endangers the surrounding property by fire, the City Inspector of Buildings shall cause such danger to be abated, or cause such smokestack, chimney, flue or stove pipe to

be altered and improved as he shall think most suitable for protecting the surrounding property.

Sec. 13. Power to Revoke Permit: If work upon any building shall be done in violation of any of the provisions of this Ordinance, either as to occupation of sidewalk or street or the use or application of materials or workmanship, it shall be the duty of the City Inspector of Buildings to revoke by notice in writing the permit for the building operations and work in connection with which such violation shall have taken place, and it shall be unlawful after the revocation of such permit to proceed with such work or building operations until such permit shall have been first revivified or reissued by the City Inspector of Buildings. Before a permit revoked for the causes above mentioned can be lawfully reissued or revivified, the entire work, building and building site must be first put in such condition as to meet the requirements of this Ordinance, and any work or material theretofore applied to or done in or upon the same in violation of the provisions of this Ordinance shall be first removed from said building.

Sec. 14. Required to Attend Fires: The City Inspector of Buildings shall be ex-officio a member of the Fire Department and whenever possible shall attend and investigate all fires, for the purpose of ascertaining their cause and effect, and in future construction to properly guard against fire hazard.

Sec. 15. Floor Load Placards: It shall be the duty of every owner of a building or structure, already constructed or hereafter to be constructed, or his agent, or the occupant of any such building or structure, when required by the City Inspector of Buildings, to affix and display conspicuously on each floor where required, a placard stating the load per square foot of floor surface, which may with safety be placed upon that particular floor, and it shall be unlawful to load any such floors, or any part thereof, to a greater extent than indicated upon such placard. It shall be the duty of the owner, occupant or agent of such building or structure to submit to the City Inspector of Buildings the figures showing the calculations for the floor loads, in order that same may be verified by the City Inspector of Buildings, before any such placard be affixed and displayed as hereinbefore provided.

PART II.

ISSUANCE OF PERMITS, FILING OF APPLICATIONS, PLANS AND SPECIFICATIONS, FEES.

Sec. 1. Permit Required: It shall be unlawful for any person, firm, association or corporation to commence or proceed with the erection, construction, alteration, removal, demolition, improvement or addition (except paper hanging, painting, plastering, screens for doors and windows and trimmings for same, interior moulding, shelving and wall strips, counters or other fixtures, store windows and sash trimmings, and repairing roof when no part of the building is changed for the receipt of the same) of

or to any building or other structure, either private, public, municipal, state or United States, when the value thereof exceeds thirty dollars ($30.00) inside any fire limits or one hundred dollars ($100.00) elsewhere, in the City of Phoenix, unless a permit so to do has first been obtained from the City Inspector of Buildings. The application for such permit shall in all cases be in writing and state the kind and estimated cost of the work, as hereinafter provided.

The City of Phoenix, the County of Maricopa, the State of Arizona, and the United States Government shall be exempted from the payment of the fee charged for such permit under the provisions of this Ordinance.

Sec. 2. Application Plans and Specifications: The permit herein provided for may be applied for and obtained by the owner or lessee direct, or by the architect, engineer or other agent of such owner or lessee.

Application for such permit shall be made on blanks furnished by the City Inspector of Buildings, and shall conform to the requirements as indicated on the blanks so furnished, and shall be accompanied by two complete sets of plans and specifications which shall clearly show all parts of the construction and as many additional details of construction as may be deemed necessary by the City Inspector of Buildings. All such plans and drawings shall be drawn to a scale of not less than one-eighth of an inch to a foot on paper or cloth, by solar print or some process that will not fade or become obliterated. All distances and dimensions shall be accurately figured and drawings made explicit and complete. The specifications hereinbefore required to be furnished shall describe all materials to be placed in the proposed buildings. In any case requiring special calculations or knowledge of strength of materials, the City Inspector of Buildings may require such strain sheets or copies of calculations as he may see fit. He may also require floor plans to have plainly marked on them the net load per square foot that the floors are designed to carry, and in case of post and girder or skeleton construction being used, the schedule of loads shall be given, showing the total load that each different member, including the footing, is designed to carry.

If said application, plans and specifications are approved, such approval shall be endorsed on each thereof by the City Inspector of Buildings, 2 as follows: "Plans accepted for construction, subject to the requirements of the building Ordinance of the City of Phoenix, Arizona," and shall be signed by the City Inspector of Buildings, and one set of plans and specifications, all with such approval indorsed thereon, shall be securely joined together and delivered to the party obtaining the permit, who shall keep such plans and specifications on the premises where such construction is being conducted, open for inspection at all times during such construction, until final inspection has been made.

The other set of applications, plans and specifications, after being approved, shall be retained, indexed and kept on file by the City Inspector of Buildings in such manner

as to be readily inspected by the public upon application. The erection, construction and alteration of such building, structure or any part thereof, when proceeded with, shall be constructed in accordance with the approved application, plans and specifications, and any modifications made in the plans and specifications shall be subject to further approval, and shall be made to appear in the same form, and the date of such further approval shall be indorsed upon both sets of plans and specifications, and shall be noted upon the original application, plans and specifications filed in the office of the City Inspector of Buildings.

When the estimated cost of erecting, altering or repairing any building or structure, or part thereof, does not exceed one thousand dollars, and the proposed work is not in the fire limits, the person, firm, association or corporation proposing to make such improvement may, at the option of the City Inspector of Buildings, file in lieu of plans and specifications herein provided for, a statement in writing setting forth the repairs, alterations or improvements contemplated, and describing the general character, nature and extent of the same.

Upon the filing of an application, and the payment of the fee, in accordance with the requirements of the foregoing, the City Inspector of Buildings shall ascertain whether such plans and specifications embody all requirements of law and the City Ordinances in such cases, and if the requirements be met, shall issue a building permit to the applicant, giving permission to erect, repair or alter the building or structure at the place and in accordance with the said approved application, plans and specifications. When a permit is given, a card shall accompany it showing the number of the permit, which card must be posted in a conspicuous place at the building at all times during the process of construction, alteration or repair. When such permit has been granted plans shall not be changed, except in minor details not affecting structural parts, stairways, elevator shafts, fire escapes or means of communication or of egress or ingress, without notice having first been given to the City Inspector of Buildings and his approval and permission for such change obtained, as hereinbefore mentioned, and if such change increases the cost of the proposed work, the City Inspector of Buildings shall be paid an additional fee for such approval and permission for such change, in accordance with the schedule of fees hereinafter provided, such approval and permission to be charged for as an additional permit.

Sec. 3. Failure to Obtain Permit Before Work Is Started: If any work shall have been done on any building, or part of a building, for which a permit is required by this Ordinance, before such permit shall have been taken out, and such permit shall be subsequently issued, double the fee herein provided for shall be collected.

Sec. 4. Permit Void After Sixty Days if Work Be Not Started or Be Abandoned: If the work authorized by any such permit to be done be not begun within sixty days from the date thereof, or if the work authorized by such permit to be done be suspended or abandoned for

a period of sixty days or more, such permit shall thereupon be void and of no further effect, and no fees shall be returned, and before any such work or construction be commenced or resumed, a new permit shall be taken out and the same fees as herein fixed for the original permit shall be paid.

Sec. 5. Permit for Temporary Occupation of Streets and Alleys: The extent of occupation of sidewalks, streets and alleys under the terms of any permit for street obstruction on account of building operations, shall be as follows: (Such permit to be secured from the City Manager and at his discretion after building permit be issued by the City Inspector of Buildings.)

Such permit shall not authorize the occupation of any sidewalk, street or alley, or part thereof, other than that immediately adjoining the lot lines of the lot upon which the building or other structure for which permit is issued, is being erected, altered or repaired. During the process of construction, alteration or repair of such building or other structure, and during the progress of such building operations, the outside one-third at least of such sidewalks shall be at all times kept free and unobstructed, for the purpose of passage by the public, and shall be kept free from rubbish and dirt. Such sidewalk, if there be excavations on either side thereof, must be protected by substantial railings, which shall be built and maintained so long as such excavations continues to be open. It is not intended hereby to prohibit the maintenance of a driveway for the delivery of material across the sidewalk from the curb line to the building site. It shall be permitted for the purpose of delivering material to the basement of buildings or other structures, to elevate such temporary sidewalk to a height of not exceeding four feet above the level of the street. And in case of such elevation the same shall be provided with good substantial approach steps at both ends or sides thereof, and it shall have the railing before specified on both sides thereof and of such approach steps.

If the building or other structure to be erected be of three or more stories in height, and be set at or near the street line, there shall be built entirely over such sidewalk a temporary roof having a framework or covering composed of supports and stringers of 2x12 timbers, not more than three feet apart on centers, covered by two layers of two-inch planks; such roof to be maintained so long as material is being used or handled on such street front and above the level of such sidewalk. In all cases such temporary sidewalks, railings, approaches and the roof over the same, shall be made, erected and constructed with regards to ease of approach, strength and safety, and subject to the satisfaction of the City Inspector of Buildings.

The occupation of portions of streets or alleys by building materials shall never exceed one-quarter of the width of the driveway in front or at the side of any one building or other structure, or one-half of the alley, and in streets containing railroad tracks, such occupation shall not come within four feet of such railroad tracks.

Earth taken from excavations, rubbish and all other materials taken from buildings or other structures must not be stored either upon sidewalks, alleys or streets, but shall be removed from day to day as rapidly as produced. When dry rubbish, apt to produce dust, is being handled, the same shall be kept thoroughly wet down so as to prevent its being blown about by the wind.

Permission to occupy portions of sidewalks, streets and alleys, for the purpose of building operations is intended only for use in connection with the actual erection, repair, alteration or removal of buildings or other structures and shall terminate forthwith upon the completion of such building operations. It shall be unlawful to occupy any portion of any sidewalk, street or alley, for a longer period of time than twenty-four hours after the completion of the building operation for which a permit has been issued by the City Inspector of Buildings. It shall also be unlawful to occupy any portion of any sidewalk, street or alley under the authority of any such permit for the storage of articles not intended for immediate use in connection with the building operation for which such permit shall have been issued. Materials for all buildings and other structures shall be hoisted entirely within the property lines of the same. Under no circumstances will derricks or derrick posts be permitted to be set up on the public sidewalks, streets or alleys, and in no case shall the guy lines be less than fifteen feet above the sidewalks and the roadbed of the streets and alleys.

Lighted red lanterns shall be displayed and maintained during the whole of every night at each end of each pile of material upon any portion of any sidewalk or in any street or alley and at each end of and along each excavation.

Sec. 6. Alteration, Addition and Enlargement of Buildings: No building or other structure erected or hereafter to be erected in the City of Phoenix, shall be enlarged, altered, raised, built upon or removed, unless upon the completion of such work the whole building or other structure so completed or so far as same shall have been completed, shall be in compliance with the spirit of this Ordinance.

Sec. 7. Amended by Ordinance 116.

Sec. 8. Certificates of Occupancy: It shall be the duty of the City Inspector of Buildings to make or cause to be made a final inspection and examination of all buildings or other structures before any thereof shall be occupied, and if such buildings or structures be found to have been erected and constructed in conformity to all the provisions and requirements of this Ordinance, said City Inspector of Buildings shall issue, on a printed form provided for that purpose, a certificate thereof to the owner or lessee a duplicate whereof shall be indexed and filed for reference in the office of the City Inspector of Buildings, and such said certificate when so issued shall entitle such building or structure to be occupied.

No person, firm, association or corporation shall

occupy any building or structure until such certificate has been issued.

It shall be the duty of the Police Department to stop and prevent the occupancy of all buildings or other structures that have been erected or altered, until certificates of occupancy have been issued by the City Inspector of Buildings.

Sec. 9. Buildings of one Class Used for Another: If buildings or other structures the use of which require them to be of any special class of the classes hereinafter mentioned in this Ordinance are to be used for any other purpose for which a different class of construction is called for by this Ordinance, the construction and equipment of such buildings or structures shall first be made to conform to the requirements of this Ordinance specified for such intended use or purpose. And it shall be unlawful to apply such buildings or structures to a new or different use than that to which its structure and equipment is adapted under this Ordinance, unless the requirements of this Ordinance for such new and different use shall first have been complied with, and a certificate of occupancy and permit for such alteration for such use shall have first been obtained from the City Inspector of Buildings.

Sec. 10. Temporary Certificates of Occupancy: The City Inspector of Buildings may issue a certificate of temporary occupancy, allowing the use of a portion or portions of any buildings or structures, provided said portions of said buildings or structures shall have been erected and constructed in accordance with all the requirements of this Ordinance governing the erection and construction of such buildings or structures.

Sec. 11. Fees: The applicant or applicants for building permits shall pay the City Inspector of Buildings for expenses of inspection and examination of buildings and plans and specifications the sum of one dollar ($1.00), if the estimated cost of said building, structure, alteration or improvement shall not exceed five hundred dollars ($500.00); the sum of two dollars ($2.00), if the estimated cost of said building, structure, alteration or improvement shall be more than five hundred dollars ($500.00), and not more than one thousand dollars ($1,000.00), and if the estimated cost of said building, structure, alteration or improvement shall exceed one thousand dollars ($1,000.00) then the sum of one dollar ($1.00) for each and every one thousand dollars ($1,000.00) or fraction thereof of the estimated cost thereof up to twenty thousand dollars ($20,000.00) and forty cents (40c) for each one thousand dollars ($1,000.00) or fraction thereof of the estimated cost above twenty thousand dollars ($20,000.00).

PART III.

DEFINITIONS OF TERMS USED.

Section 1. For the purpose of this Ordinance, the following definitions shall be accepted as correct, unless it is apparent from the context that they are used with another meaning:

Alteration means any change or addition.

Appendages means dormer-windows, cornices, mouldings, bay-windows, spires, ventilators, etc.

Apartment house or tenement house is a building containing separate apartments for three or more families, and having a street entrance common to all.

Assembly halls are buildings or parts of buildings not included under "Theaters," where one hundred or more persons assemble for entertainment, instruction, worship or dining purposes. A private assembly hall is one built in connection with a school, hotel, club, church or society building, and used only by the members for private gatherings, and not rented for public use. Every other assembly hall is a public assembly hall.

Awnings, a construction intended solely as a roof, or shelter from the sun or rain, not having a separate floor.

Building or Structure: Any construction with or without a roof, for residence, business or public use, or for the protection of persons, animals or plants, or storage or protection of goods or materials, and designed for use in the position in which it is fixed.

Bearing wall is a wall carrying a portion of the interior load of a building.

Basement is that story of a building or structure the floor of which is more than one-fourth of its height below the grade of the street upon which the principal entrance of the building or structure opens.

Balcony: A projection from the walls or partitions of a building, having a floor and enclosed only by railing or balustrade.

Boarding or Lodging House: A building used for lodging or boarding purposes, containing not less than five or more than twenty rooms or table facilities for guests.

Cellar is that story of a building below the ground story, used solely for storage purposes. (See also basement.)

Cement shall be deemed to be Portland Cement.

Concrete: For the purpose of this Ordinance shall be deemed to be a mixture of Portland cement, sand, rock and clear water.

Concrete, Plain or Non-Reinforced, shall be deemed to be concrete in which no iron or steel is imbedded, and shall be used only in compression.

Concrete—Reinforced—shall be deemed to be concrete in which iron and steel, or either, is imbedded in such a manner that the combined concrete and iron or steel shall sustain all the stresses imposed thereon.

Division wall means any masonry or concrete wall other than an exterior wall or a party wall which extends the full height of the building and through the roof.

Dwelling means a building intended for the residence of not over two families.

Exterior wall means every outer or vertical enclosure of the building other than a party wall.

Flats is a building containing two or more independent dwellings, each having its own street entrance.

Factory is a building, any portion of which is used for manufacturing purposes.

Fire wall is that part of a masonry or concrete wall extending above the roof immediately adjoining such wall.

Fixtures: Shelving, display racks, showcases, counters, balconies not over one-fifth of the floor area of the room in which situated, portable ladders or similar devices; chairs, seats or benches; or any similar article of secondary structure for purposes of storage, display or convenience in connection with the operation of any establishment or office, and which are not a structural part of the building in which such apparatus is installed or used.

Gravel, Unscreened: Unscreened bank or river gravel shall be well graded and contain not more than fifty per cent of sand, which sand shall meet the requirements of this Ordinance.

Gravel, Screened: Screened gravel shall be hard and clean, and a well graded mixture of whole stone running from a quarter-inch diameter to three-inch diameter, and shall be free .from any coating of clay, oil or other material.

Hotel means a building used as a place of entertainment for transient guests, having more than twenty sleeping rooms.

Hospital, Sanitarium, Sanitorium or Asylum is a building in which sick, demented, injured, infirm, aged or orphan persons are housed or intended to be housed, and having accommodations for more than five such persons.

Masonry means brick, tile, terra cotta or other similar substance approved by the City Inspector of Buildings.

Office Building shall be taken to mean and include every building which shall be divided into rooms above the first story and used or intended to be used for business purposes, and no part of which shall be used for living purposes, excepting only for the janitor and his family.

Party Wall means a wall used or erected to be used in common as a structural wall by two or more adjoining buildings.

Partition Wall means any interior wall of masonry in a building other than a division wall.

Partition: An interior division constructed of iron, glass, wood, lath and plaster or other destructible material.

Porch: An appendage to a building, with two or more sides not enclosed, having a floor at least six inches above the adjacent grade.

Repairs means the reconstruction or removal of any existing part of a building or of its fixtures or appurtenances.

Rock, Crushed: Granite boulders or any hard rock, except rock carrying a large amount of mica, may be crushed for use in concrete.

Sand shall be deemed to be bank or river sand, or finely divided rock of any hard variety, passing a quarter-inch screen, which shall be free from talc and shall not contain more than five per cent, by volume, of loam,

silt, mica, quicksand or organic matter, and not more than thirty per cent shall pass a thirty-mesh screen. The graduation from coarse to fine shall be reasonably uniform.

Shed: A light structure of temporary construction not intended for use as a habitation.

Standard: The word standard whenever used in this Ordinance shall refer to the standard adopted by the National Board of Fire Underwriters.

Story means the distance from the top of one floor to the top of the next floor above, except in the case of the top story, the height of which shall be measured from top of floor to ceiling joists. The lower story shall be considered a story and not a basement when three-fourths of its height is above the curb level of the street on which it fronts.

Store Building is a building used wholly or in part for the purposes of exhibiting goods, wares or merchandise for sale.

Theaters: All buildings or parts of buildings used for theatrical or operatic purposes which contain a stage with more than fifteen hundred square feet of scenery, including all curtains, or where transient scenery is used; also all buildings or parts of buildings where motion or other pictures are thrown upon a surface to be viewed by an audience.

Thickness of Wall means the minimum thickness of any wall between the floors or between the floors and ceiling of a building.

Warehouse is a building used principally for the storage of goods, wares or merchandise.

Picture Machine means any device used to project upon a surface pictures of any character which an audience is admitted to view.

PART IV.

FIRE LIMITS—CLASSES OF BUILDINGS ALLOWED THEREIN.

Section 1. Classes of Buildings Allowed in Special Fire Limits: It shall be unlawful for any person, firm, association or corporation to erect or maintain, or cause to be erected or maintained within the Special Fire Limits of the City, any buildings or structure until the same shall conform in all respects to the requirements of this Ordinance for buildings or structures of either class "A" or "B" construction, as the same are in this Ordinance described, and except as otherwise herein provided for.

Sec. 2. Classes of Buildings Allowed in the General Fire Limits: It shall be unlawful for any person, firm, association or corporation to erect or maintain, or cause to be erected or maintained within the General Fire Limits of the city, any building or structure until same shall conform in all respects to the requirements of this Ordinance for buildings or structures of class "A," "B" or "C," as the same are in this Ordinance described, and except as otherwise herein provided for.

Sec. 3. The provisions of the preceding sections 1 and 2 shall not apply to any buildings erected prior to the adoption of this Ordinance.

PART V.

MATERIAL, LOADS, ALLOWED STRESSES AND GENERAL PROVISIONS FOR CONSTRUCTION OF ALL BUILDINGS.

Section 1. Floor Loads: The minimum stresses to be resisted by any structure shall be calculated by adding to the weight of the structure, called dead load, the following superimposed live loads uniformly distributed, in pounds per square foot of horizontal area.

Theaters, assembly halls and other places of assemblage:

Auditorium with fixed seats	70
Lobbies, passage ways and auditoriums or places of assemblage without fixed seats	80
Dance Halls	120
Theater Stage	150

School buildings, libraries and museums:

Class rooms and other rooms for similar use	60
Corridors and similar public parts of the building	60

Hotels, apartment and tenement houses, club houses, hospitals, places of detention:

Private rooms and apartments	50
Public corridors, office lobbies, dining rooms, etc	60

Office buildings:

First floor	100
Upper floors	60
Stables	80
Grand Stands	100
Garages	100
All stairs	100
Workshops, factories and mercantile establishments	100

In warehouses, workshops, factories and mercantile establishments used for the sale, storage or manufacture of heavy merchandise or machinery the floors shall be designed to carry all loads safely, including an allowance of at least twenty-five per cent for vibration where such occurs.

Roofs	30
Sidewalks	150

Except in any building where the floor load of any floor is taken as more than 150 pounds per square foot, the sidewalk load shall be taken equal to the maximum floor load.

The foregoing floor loads (but not the roof or sidewalk loads) may be decreased by twenty pounds in buildings of fireproof construction:

Sec. 2. Arches and Lintels: Every opening exceeding five feet in width in a wall of brick or stone, shall have an arch of stone, brick or terra cotta, securely keyed and with good and sufficient abutments, or such building or structure shall have a lintel of stone, iron, steel or reinforced concrete. If a wood lintel be used, over the

inside of any opening more than thirty-six inches wide, there shall be a relieving arch over the same. No wood lintel shall be placed over an opening exceeding five feet in width. There shall be no cast iron lintels used on openings exceeding seven feet in width. No wooden beams or girders shall be used to support any masonry wall.

Sec. 3. Fire Protection for Openings: No opening in an interior masonry wall shall exceed 8 feet by 10 feet. If openings be in party wall or fire wall, same shall have standard automatic fire door on each side of such wall. If an opening in a fire wall be made to serve as an emergency exit, same shall not exceed 48 square feet in area, and a self-closing swinging fire door shall be substituted for one of the automatic fire doors. The total openings in a fire wall shall not exceed 25 per cent in linear length of the wall.

Every building or structure within the Special Fire Limits except churches, dwellings, tenement houses, dormitories, lodging houses and isolated public and semi-public buildings shall have fire doors, shutters, or wired glass in incombustible frames and sash on every exterior opening above the first story, except when fronting on a street not less than thirty feet wide, or where no other building be within thirty feet of any such opening. The wall of any building or structure in the same plane as that in which any such opening be situated, shall not be considered as coming within the intent of this rule.

All openings in the side and rear walls of the first story, except show windows, shall be protected as described in this section when within thirty feet of any other building or structure.

All windows more than seventy-five feet above the curb shall have incombustible frames and sash glazed with wired glass.

Sec. 4. Stresses and Weights of Material: In computing the strength and weights of walls, floors and materials, a cubic foot of material shall be deemed to have the weight and strength given in the table of either of the following handbooks: F. E. Kidder's "Architect and Builder's Pocket Book," or "Haswell's Mechanic's and Engineer's Pocket Book" or "Troutwine's Hand-Book."

Sec. 5. Foundation Walls, Footings: Depth—The depth of foundations of buildings and structures of classes A. B and C shall be not less than the depth described in the following schedule: One-story buildings or structures not less than one foot below natural surface of the ground; two or three-story not less than two feet; four-story, not less than three feet; five or six-story, not less than four feet; seven-story, not less than five feet; eight, nine or ten-story, not less than six feet.

Provided, however, that nothing in this section contained shall prevent the City Inspector of Buildings from requiring a greater depth for foundations, if, in the judgment of the City Inspector of Buildings, such be necessary for the stability of said foundations and the building or structure proposed to be erected thereon.

Legal Depth. The depth of eleven feet below the

curb level of the street is hereby fixed as the standard depth of foundations for buildings and other structures. Any person excavating for, or commencing a foundation at a greater depth than the above standard, shall be responsible for all damages resulting to adjoining buildings or structures, the foundation of which have theretofore been constructed at a standard depth. No persons constructing foundations to the standard depth shall be liable for damages to contiguous buildings or structures, the walls of which have not been constructed to the standard depth.

Footings. Basement or foundation walls and piers shall have footings of concrete, or be built of other approved masonry laid up in cement mortar, proportioned to the sustaining value of the soil, and the loads to be imposed thereon. Such footings shall be not less than 75 per cent wider than the walls and piers which they carry, unless otherwise provided for in this Ordinance.

For estimating the load on Footings, the following conditions shall be observed:

Warehouses and factories, full dead and full live load; in stores, buildings and such other structures, for light manufacturing purposes, and in buildings and other structures for public assemblage or amusement, full dead load, and 75 per cent of the live load; in office buildings, hotels, apartment houses, dwellings, stables, and such other structures, a full dead load and 40 per cent of live load. Footings shall be so designed as make the load as nearly uniform as possible.

Sec. 6. Bearing Power of Soils: When no test of the sustaining power of the soil is made, the respective soils hereinafter named shall be deemed to safely sustain the following loads per square foot of area:

Adobe	1500 pounds
Adobe Caliche	2000 pounds
Sandy Loam	4000 pounds
Clean Sand	8000 pounds
Gravel	12000 pounds

If a test be made of the sustaining power of the soil, the City Inspector of Buildings may modify these requirements, but he shall be notified when such test is to take place, and shall be present either in person or by representative. The report of the test shall be filed in the office of the City Inspector of Buildings, and when doubt arises as to the safe sustaining power of the soil upon which any building or structure is to be erected, the City Inspector of Buildings may order further tests made to determine the safe load..

Sec. 7. Retaining Walls: All retaining walls within ten feet of any property or curb line in any basement, or any walled embankment over four feet high, shall have the design and specifications (and if required by the City Inspector of Buildings, strain sheets and calculations) placed on file with the City Inspector of Buildings and approved by him before any construction shall commence.

Sec. 8. Underpinning Walls: All walls used for

underpinning any building or other structure, if constructed of masonry, shall be four inches thicker throughout than the walls same support. Mortar used in masonry for underpinning shall contain not less than one-third cement by actual measurement. All brick used for underpinning shall be hard burnt, well formed brick, well wet with water before using. Concrete underpinning walls may be of same thickness as the walls they support and shall be properly reinforced with steel if required by the City Inspector of Buildings.

Sec. 9. Amended by Ordinance 305.

Sec. 10. Does not exist. Typographical error.

Sec. 11. Concrete Bearing Walls: Walls of plain concrete may be built of a thickness four inches less than required for masonry walls, and the height of such walls shall not be more than twenty-four times the thickness thereof. Walls of reinforced concrete shall be specially designed to meet the requirements of their use. Provided, however, that in no case shall any wall be of less thickness than the wall above.

Sec. 12. Hollow Tile Construction: Hollow tile may be used for bearing walls in buildings or structures not exceeding three stories in height, or for enclosure walls of skeleton constructed buildings or structures of any height where such walls are carried on beams at every story, except party walls, which shall be built solid. Thickness of wall must conform to the following schedule:

	First	Second	Third
One story	6 inches	.....	.....
Two stories	8 inches	6 inches	.....
Three stories	12 inches	10 inches	6 inches

Where tile work is exposed to the weather, the outside shall be plastered or some approved means taken to weatherproof it. Where a girder or beam shall rest upon a wall so that there be a concentrated load of two tons or over, some means shall be taken of supporting the ends of such beams or girders either by filling the tile solidly with concrete, or by the use of bearing iron plates.

No tile shall be loaded in excess of 150 pounds per square inch of net section in compression, if set on end, or seventy-five pounds if set on sides, unless a special permit therefor be issued by the City Inspector of Buildings for some specified method of construction.

All hollow tile for exterior walls or bearing partitions shall be laid in cement mortar. A bond composed of metal lath or wire mesh shall be placed the full thickness of the wall every fourth course, such metal lath or wire mesh shall be not coarser than one-half inch and of galvanized wire.

Where there is a concentrated load, solid construction shall be used to take care of the load at that point.

Sec. 13. Existing Party Walls: Walls heretofore built for and now used as party walls, the thickness whereof at the time of their erection was in accordance with the then existing Ordinance, but which are not in accordance with the requirements of this Ordinance, may

be so continued and used as such party walls if in good condition for the ordinary uses of party walls, provided the height of same be not increased or such wall be not otherwise so changed or used as to endanger life, limb or property.

Sec. 14. Fire Walls: All exterior, division and party walls of masonry in buildings or other structures of classes "A," "B" and "C," except as hereinafter provided, shall extend through and be at least two feet above the adjoining roof line, and shall be at least eight inches thick. Such fire walls shall be continuous without openings therein, except as otherwise provided in this Ordinance, and if brick or stone, shall be laid in mortar containing not less than one part of cement to three parts of good lime mortar, such cement mortar to extend from the top of the wall to a point two feet below the roof joists, and all such brickwork shall be laid as "full grouted" or "shoved work." When masonry fire wall extends more than four feet and six inches above the adjoining roof line, said wall shall be not less than twelve inches thick, and if over eight feet high shall be increased in thickness or reinforced by pilasters not over twenty feet apart, or shall be anchored with three-fourths inch rods, or pipes of one-inch outside diameter, as directed by the City Inspector of Buildings; such anchors shall be secured to the roof, shall have "T" heads built eight inches into the wall, shall be placed eight inches below the top of the wall, and not more than fifteen feet apart.

In class "A" buildings or structures over one hundred feet in height the fire wall on the street front may be omitted. When such fire walls are omitted the roof shall be protected at the outer edge of the cornice by a concrete curb twelve inches wide with a vertical face on its inner side at least four inches high, and at the building line a substantial railing not less than three feet high, constructed of two-inch diameter galvanized wrought iron piping, either well sunk into such wall or well anchored to the roof, with standards not less than ten feet apart, and to consist of two horizontal lines of piping placed eighteen inches apart, and secured to the posts with galvanized iron screw fittings.

Buildings or structures of classes "A," "B" and "C" construction, having roofs pitched at an angle of thirty degrees or more and located outside of General and Special Fire Limits, shall not be required to have fire walls.

Buildings or structures of class "A" and "B" construction, having a roof construction of fireproof material, and which roof has a pitch or rise of not less than one foot vertical to four foot of horizontal run, and the outer walls terminating with a cornice, shall not be required to have fire walls.

Sec. 15. Recesses: Recesses for alcoves and for similar purposes shall have not less than eight inches of masonry at the back of such recesses, shall be not more than eight feet wide, and shall be arched over or spanned with iron or concrete lintels, and no recess shall be made nearer than six feet to any other recess in the same wall.

Recesses for pipes provided in masonry walls shall be left by the masons and shall have not less than four inches of masonry at the back thoroughly bonded to the rest of the wall. Recesses for pipes in walls already erected shall have all the space within such recesses, except the space actually occupied by the piping, refilled and well packed with a cement mortar in proportions not less than one part cement to four parts of sand, cast in place. No horizontal recess more than four feet long shall be made or permitted in any wall.

Sec. 16. Furred Walls: Furred masonry walls shall be provided with fire stops at each floor and intermediate between the floors.

Sec. 17. Bond in Common Brickwork: The bond in common brickwork shall be formed by laying at least one course of headers for every six courses of stretches.

Sec. 18. Bonding of Facing Material: If facing be used, it shall be bonded into its backing at least six inches each way, or oftener if required in the judgment of the City Inspector of Buildings. Bond for brick shall be established by solid headers or by crimped or corrugated galvanized iron strips not less than one inch wide, not less than one-sixteenth of an inch thick, and not less than eight inches long, placed at right angles to the face of the wall. If such strips are used for bonding, each alternate brick shall be bonded. No diagonal bonds shall be allowed. Pressed brick in all cases shall be laid so as to have a full bed of mortar under each brick. The mortar used in bonding all pressed brick shall have cement added thereto in the proportion of not less than one-sixth of the bulk of the mortar. All veneer facings of stone, terra cotta and cement stone shall be bonded by metal ties in the form of staples or hooks not less than one-fourth of an inch in diameter. All ties shall be bonded into the wall, or structural parts of the building or structure not less than four inches, with the ends turned over to give a mechanical anchorage, and such ties shall be not less than twelve inches apart horizontally, and shall be used in every horizontal joint, except in brick used in every third joint.

Sec. 19. Veneering of Frame Structures: No veneering of brick, stone or terra cotta shall be placed in, against or upon any frame building or structure of more than two stories in height. All such veneered buildings or structures shall be sheathed solid with one-inch boards. Veneering shall not be less than four inches in thickness, and shall be built on a solid foundation, and well bonded under the directions of the City Inspector of Buildings.

Sec. 20. Chimneys and Flues. All chimneys and flues hereafter constructed shall be of masonry or concrete. The walls of such chimneys and flues in dwellings, one-story flats—and apartment houses shall be not less than four inches thick and in all other buildings, if such walls are less than eight inches thick, such walls shall be lined on the inside with well-burnt clay or terra cotta pipe not less than one inch thick. Such linings shall extend from the bottom of a flue and be continuous to the top thereof, and shall

be enclosed as carried up. Flues in which lining is not required in this Ordinance shall have smooth struck joints on the inside thereof; and if the walls thereof are less than eight inches thick, shall be thoroughly plastered smoothly on the inside and outside with one to five cement mortar for the entire height thereof, excepting such portions as are exposed to the weather. No smoke flue shall be less than fifty square inches area in the clear, inside measurement, and such sized flue shall have but one inlet; for two inlets the flue shall be not less than seventy-five square inches area in the clear, inside measurement. No more than two inlets will be permitted to any flue. Flues larger than two hundred square inches and less than five hundred square inches, inside area, shall have walls not less than twelve inches thick to a height of fifteen feet above the inlet, and eight inches thick for the remaining height; plus larger than one thousand square inches, inside area, shall be proportionately increased in size, and shall be lined with fire brick for at least twenty feet above the inlet.

Bakery oven flues shall not be less than twelve inches square in the clear, inside measurement, and shall have masonry walls not less than eight inches thick.

The inside four inches of the walls for all smoke flues for boilers of over twenty-five horse power shall, for the distance of twenty-five feet above the source of heat and three feet below, be constructed of fire brick laid in fire mortar. All chimneys having a greater flue area than two hundred and sixty square inches, inside measurement, shall be carried up at least eight feet above the highest point of the roof of the building in which they are located.

All inlets of smoke pipes into chimneys or flues shall be terra cotta thimbles not less than one inch thick, set in place as the construction progresses. Thimbles shall be surrounded by four inches of brickwork brought flush with the furring, and shall extend to the face of the plastering and be not nearer than six inches to any woodwork.

No chimney shall be supported by or upon any floor or beam of wood, but shall be supported from the ground up, or by masonry or concrete. No chimney shall be corbelled out more than eight inches from the wall, provided that no corbelling shall be more than four inches in nine-inch walls. No chimney or flue shall be offset or drawn over for any purpose, more than one-third of its exterior width or thickness.

No joists or girders shall be supported on the walls of any chimney or flue. No woodwork shall be placed nearer than two inches to the outside face of any smoke flue. All wooden joists shall be trimmed away at least two inches from any smoke flue.

All chimneys and flues shall extend at least four feet above flat roofs, except as hereinafter required. Where chimneys or flues project through a pitched roof at or near the ridge of peak thereof, they shall project not less than two feet above such ridge or peak. Where chimneys or flues pierce the roof at the eaves or at the slopes of the roof, they shall extend above that portion of the roof

not less than five feet. If any such chimney projects above the roof to a height of more than six times its least cross section, it shall be braced with an iron rod or pipe not less than one inch in diameter with a fixed washer at each side of such chimney, which brace shall extend through such chimney at a point not more than four feet below the top thereof. Every chimney projecting above the roof more than six times the thickness of its least cross section shall have at least three four-inch cross walls, or two eight-inch walls across its least width, and all such chimneys shall be laid in cement mortar from the top thereof to the first tier of joints below the roof joists as provided for under head of "Fire Walls."

Sec. 21. Fireplaces: All fireplaces and chimney breasts in any building or structure shall have trimmer arches not less than four inches in thickness to support the hearth, unless same shall rest upon solid earth fillings. Such arches shall be of brick, stone or concrete, and shall be at least twenty inches wide, measured from the face of the fireplace, and their length be not less than the width of the chimney breast. Such hearth shall be not less than two inches in thickness additional to such arches. Wood centers shall be removed from trimmer arches of such fireplaces and chimney breasts after the same shall have been constructed. No timber of any kind shall be left under any trimmer arch, fireplace or hearth. Hearths shall be of brick, tile, stone or concrete, at least three inches thick. The firebacks and jambs of all fireplaces shall be of solid masonry not less than eight inches thick. No wood construction shall be placed within eight inches of any fireplace opening.

Sec. 22. Terra Cotta Chimneys: There may be erected in buildings and other structures in that portion of the City of Phoenix outside of the General and Special Fire Limits, chimneys of terra cotta pipe. The walls of such terra cotta pipe chimneys shall be not less than three-fourths of an inch thick, and all terra cotta pipe used in the construction of such chimneys shall be free from checks, cracks and other such defects. If such terra cotta pipe or chimney be supported on a bracket, such bracket shall be securely fastened to the building. Between the inlet to such pipe or chimney and the bracket or floor sustaining the same there shall be at least six inches of cement mortar on a sheet of metal and there shall be a clear space of at least two inches between such terra cotta pipe or chimney and any woodwork, and if the intervening space between such woodwork and such pipe or chimney is to be closed, the same shall be closed with tin or iron.

All terra cotta chimneys or pipes shall be securely strapped and fastened to the building by means of iron straps, and all joints in such chimneys or pipes shall be thoroughly cemented. No terra cotta chimney or pipe shall be concealed by walls, ceiling or roof, but shall be exposed to view at every point thereof.

Sec. 23. Smokestacks of Iron or Steel: Smokestacks of iron or steel passing through floors, ceilings, roof or

partitious of any building or structure shall not be constructed or permitted to be nearer than twenty inches to any woodwork, and shall be protected by a solid metal jacket twelve inches from the stack, and such jacket shall extend not less than six inches above and not less than twelve inches below the joists of such floor, ceiling or roof, or, if it extends through a partition, then such jacket shall project twelve inches from the near and six inches from the far side thereof. All woodwork enclosures of such stacks which shall be within four feet thereof shall be metal lathed and plastered or shall be covered with sheet metal on the inside of such enclosures. Such stack on the outside of a building shall be not nearer than eighteen inches to any woodwork or wood lath and plaster, nor nearer than twelve inches to any woodwork or wood lath and plaster protected with metal extending two feet on each side of such stack.

Sec. 24. Ventilation Under Floors: In all buildings having wooden floor joists for the first floor proper, ample ventilation shall be provided between the ground and the first floor joists.

Sec. 25. Access to Roofs: All roofs of less pitch than three inches in one foot shall be so constructed as to be reached from the inside by substantial stairs or ladder, or by substantial iron steps well fastened to the outside of the outer wall. When roofs contain scuttles, the same shall be at least twenty-four by thirty-six inches in size, and the frames and lid thereof shall be covered with roofing material, and there shall be substantial stationary ladders communicating with such scuttle.

In all buildings and other structures there shall be a scuttle not less than twenty-four by thirty-six inches giving access to the space between the ceiling and the roof.

Sec. 26. Gutters and Downspouts: Every building and structure, except residences within either of the fire limits shall be provided with metallic water conductors of sufficient capacity to drain and convey all surface drainage from the roof thereof to the street or alley gutter. Such water conductor shall be extended from the building below the surface of the sidewalk, except in alleys, and shall not extend beyond the curbline of the street. Such extension of such conductors shall be of a permanent character and of material approved by the City Inspector of Buildings.

Sec. 27. Window Openings Required in All Rooms: In all rooms of dwelling houses, hospitals, schools, apartment houses, tenement houses and other buildings erected for the purpose of housing human beings, there shall be at least one window opening upon a street, court, yard or porch, which shall be open to the outer air. Such window openings shall have an area of at least ten per cent of the floor area of the room, and the sash thereof shall be arranged to open at least one-half of the window area.

Sec. 28. Cornices: All cornices shall be of substantial construction and designed to carry a live load of at least fifteen pounds per square foot, and in no case shall any cornice exceed five feet in width.

Sec. 29. Plaster Board: Whenever in this Ordinance metal lath is required to be used, there may be used in lieu thereof plaster board, composed of pure gypsum, wood and manilla fibre or of other similar materials, and not less than seventy-five per cent (75%) of the materials composing such plaster board shall be of non-inflammable material. Such plaster board shall not be less than three-eighths (⅜) an inch in thickness and so constructed as to form a mechanical key or bond between the plaster board and the finish plaster. Such mechanical key or bond shall be equally distributed and shall compose at least twenty per cent (20%) of the surface of the plaster board.

Any type of plaster board desired to be used as in this section specified, shall be first tested and demonstrated to the satisfaction of the City Manager, the City Inspector of Buildings and the Fire Chief, or a majority thereof, by such tests as the aforementioned officials may demand, that such plaster board is at least the equal, under the same condition of test, of metal lath and plaster.

Whenever in this Ordinance stamped metal is permitted to be used, there may be used in lieu thereof any type of plaster board approved by the City Manager, the City Inspector of Buildings and the Fire Chief, or a majority thereof.

PART VI.

CONCRETE CONSTRUCTION.

Sec. 1. (a) Before a Permit Shall Be Granted to construct, erect, alter or repair any reinforced concrete building or other structure, or for any reinforced concrete construction in or upon any building or other structure, the applicant for such permit shall file with the City Inspector of Buildings complete plans, drawings, specifications and details showing the size, position and reinforcement of structural members, and schedules for the loads for all columns, girders, beams and joists.

Such plans, drawings, specifications and details shall possess the approval in writing and signature of a competent architect or engineer. Such concrete construction shall be designed in accordance with the data kept on file for such purpose in the office of the City Inspector of Buildings.

(b) The calculated dimensions for all walls, columns, girders, beams and slabs, as shown by such plans, drawings, specifications and details, shall indicate and denote the full solid thickness of the concrete thereof only, exclusive of the plaster and cement finish.

(c) The architect, owner, builder or other person immediately in charge of the construction of any reinforced concrete building or other structure shall at all times during the placing of the reinforcing iron or steel and the mixing and depositing of concrete, provide and maintain an inspector duly qualified and competent, and who shall require full compliance with the provisions of this Ordinance regulating the construction of reinforced

concrete buildings and other structures. Any such inspector who shall fail, refuse or neglect to immediately stop the construction of any such reinforced concrete work which shall fail to comply with the requirements of this Ordinance, or with the approved plans and specifications of such building, structure or construction, and immediately report the same to his employer and to the City Inspector of Buildings, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than three hundred dollars ($300.00) or by imprisonment in the city jail for a period of not more than six months, or by both such fine and imprisonment.

Sec. 2. For Reinforced Concrete Floor Slabs, Thin Partition, Beams, Girders and Columns: The rock or gravel used therein shall be of a well-graded mixture running from one-quarter inch diameter to rock passing through an inch and one-quarter inch ring.

For reinforced concrete walls, footings and piers, the rock or gravel used therein shall be a well-graded mixture running from one-quarter inch diameter to rock passing through a two and one-quarter inch ring.

For heavy walls, piers and mass concrete work the rock used therein shall be a well-graded mixture running from one-quarter inch to rock passing through three and one-half inch ring.

Sec. 3. Tests: The City Inspector of Buildings may at his option require tests of all materials according to the standards of the American Society for Testing Materials, and upon such tests all such materials or class of material that shall fail to qualify under such tests shall be rejected. Specific data as to such requirements of tests shall be kept on file by the City Inspector of Buildings for reference and inspection.

Sec. 4. Mixing of Concrete, Unit Measure and Weight: (a) The unit measure for proportions in mixing concrete shall be the cubic foot. A sack containing ninety-four pounds net of cement shall be deemed to be one cubic foot. Four such sacks of cement shall be deemed to be a barrel of cement.

The fine and coarse aggregates to be used in concrete mixtures shall be measured separately and loosely thrown into the measuring receptacle, and shall be used in such relative proportions as will insure maximum density.

Plain concrete shall be deemed to weigh one hundred and forty-four pounds per cubic foot. Reinforced concrete shall be deemed to weigh one hundred and fifty pounds per cubic foot.

(b) Whenever the amount of concrete in any one building or structure shall equal or exceed one hundred cubic yards, such concrete shall be mixed in a "Batch Mixer." If such concrete be under one hundred cubic yards, it may be mixed in a continuous mixer, or it may be mixed by hand, in which latter case it shall be turned dry until showing a uniform color without streaks, and thereafter at least twice during the addition of water.

If for any reason such concrete mixture separates, it shall be mixed until no separation takes place before being deposited. In no event shall concrete be used after it has acquired its initial set.

Sec. 5. (a) Forms: All forms and centering for concrete work shall be amply strong, tight and well braced, so as not to deform, and all shoring and props shall be sufficiently strong and rigid to prevent any undue jarring of concrete while setting.

(b) All forms shall be so built as to allow thorough cleaning before concrete is deposited.

(c) Concrete columns and walls shall not be stripped under five days; floor slabs not under seven days, and beams and girders not under fifteen days; in no case shall the forms and centering be removed until the concrete shall be fully capable of sustaining its own load together with the added load of construction.

PART VII.

CLASS "A" BUILDINGS AND STRUCTURES.

Section 1. Definitions and Limit of Height: Class "A" buildings and structures designated as "fireproof" or "skeleton" construction, shall include every building or structure wherein all external or internal loads or strains are transmitted to the foundation by means of reinforced concrete or by means of a skeleton or framework of steel or iron, the beams and girders of which shall have been riveted or bolted to each other at their respective juncture points, provided, however, that in any building or structure of class "A" construction not exceeding two stories in height, the exterior walls may be constructed of masonry with piers of not less than six feet in width, and of the thickness required for the buildings or structures of the same height of class "B" construction. All beams, girders and other steel and iron work shall be thoroughly anchored and tied to masonry.

No building or structure of class "A" construction shall exceed in height two hundred feet; no building or structure of class "A" reinforced concrete construction shall exceed in height one hundred and thirty-three feet to the highest point of the roof; provided, that in building or structure of class "A" construction fire walls may extend not to exceed six feet above the highest point of the roof; that pent houses and roof structures for the housing of stairways may extend not to exceed twelve feet above the highest point of the roof; that the structure for housing elevator shafts or elevator machinery may extend not to exceed twenty-two feet higher than the highest point of the roof.

Sec. 2. Outer Walls: All outer walls of every building of class "A" shall be constructed of either brick, stone, terra cotta blocks or concrete. Every steel or iron column of every outer wall of any such building shall have not less than four and one-half inches of brick, stone, tile or concrete beyond its outer flanges. Where a facing of granite, marble or other stone which is subject to disintegration by heat is used, every metal beam, girder and

column shall be protected independently of such facing with not less than two inches of concrete or of brick. stone or tile, laid in cement mortar. In no case shall a bearing column be built of granite or marble. Walls of exterior light courts shall be constructed as herein provided for the construction of outer walls.

Sec. 3. Filler Walls: Exterior walls built as filler walls, that is to say, walls which are carried at every story by beams of fireproof construction, shall be not less than four inches thick for reinforced concrete, and not less than eight inches thick for other masonry.

Sec. 4. Interior Partitions: Interior partitions in any building or structure of class "A" shall be constructed of either terra cotta blocks, gypsum blocks, brick or reinforced concrete, in which the stiffening metal shall be thoroughly fireproofed, or shall be constructed of bars of metal lathed with metal lath and plastered not less than five-eighths of an inch thick, or shall be constructed of wire glass not less than one-fourth of an inch thick set in metal frames or sash. The walls of all interior light courts shall be not less than eight inches thick where constructed of brick, not less than four inches where constructed of concrete, and not less than six inches where constructed of hollow terra cotta or gypsum blocks.

Sec. 5. Construction of Floors: Every floor in any building or structure of class "A" shall be constructed of reinforced terra cotta and brick, reinforced concrete and brick, reinforced terra cotta, or reinforced concrete, in either of which event the proper provision shall be made by metal rods protecting against the spreading of the beams. The flanges of the beams or girders shall be protected by at least one inch of concrete or tile. The top of every arch in floor construction shall be filled with concrete to a level of one inch above the beam tops; if wood sleepers are used for the purpose of laying finished floors, said sleepers shall be filled between with concrete or other non-combustible material.

Sec. 6. Elevator Shafts: All elevators in buildings or structures of class "A" shall be enclosed in a partition or shaft extending from the basement floor to the under side of the ceiling of the top floor. All doors to such enclosure .partition or shaft shall be constructed of metal, or if wood, then covered with metal. All glass in such enclosures, or doors, shall be wired glass not less than one-fourth of an inch thick, set in metal frames and sash.

Sec. 7. Fireproofing: In every building or structure of class "A" all structural materials throughout shall be of non-inflammable material, and all interior construction metal therein, except the frame for elevators and staircases, shall be protected from rust and fire by brick, terra cotta or concrete as follows: All structural steel or iron, before being fireproofed, shall be cleaned of dirt, and unless encased in concrete, shall be coated with an efficient preservative; all iron and steel columns, girders and beams, including the lugs and brackets for same, used in the construction of any fire proof building or structure, or sup-

porting any fire proof floors or masonry walls, shall be entirely covered with two inches of well-burnt clay products, laid in cement mortar or concrete, built in solid to the metal. The extreme outer edges of lugs, brackets and similar supporting metal shall be covered with at least one inch of fireproofing; provided, that where steel trusses are used to support concrete or tile, or hollow tile roof of class "A" buildings or structures, and the lower cord of the roof trusses be at least twenty-five feet above the nearest floor of any such building, and there be no room or rooms, structure or structures, excepting the roof above such trusses, and such trusses be protected from fire by means of a ceiling, constructed of steel ribs, metal lath and fireproof plaster, the fireproofing, as described in this section may be omitted; provided, however, that the lower cord of such trusses shall be wrapped with metal lath and plastered with cement or fireproof plaster to a thickness of not less than three-fourths of an inch. Where, however, such fireproof ceiling is twelve inches or more below such lower cord of such trusses, then and in that case such metal lath and plaster on such lower cord shall not be required.

Provided, further, that where steel roof trusses be used to support the roof of any class "A" building or structure, and no structure except the roof of such building or structure be constructed or maintained on or over such roof trusses, and no structure other than a balcony not more than ten feet in width below such roof trusses, and each of such trusses be placed not less than forty feet above the floor of the building or structure or portion of the building or structure over which such roof trusses be erected or constructed, then in that event the fireproofing provided for in this section shall not be required.

In hollow tile blocks more than six inches thick, the shells and webs thereof shall not be less than three-fourths of an inch thick. Such blocks shall be thoroughly tied and anchored together.

Sec. 8. Stairways: Every building or structure of class "A" shall have at least one interior stairway from the ground to the roof, and all stairways shall be constructed of fireproof material throughout.

No stairway shall surround or be adjacent to an elevator or open well hole, unless separated from such shaft or hole by a partition or wall of fireproof material, or unless there be in such building or structure another interior stairway from the ground to the roof not adjacent to an elevator shaft or well hole. In no case shall any floor of more than ten thousand square feet of area have less than two interior stairways from the top floor to the second floor of any building or structure. Stairways from the first floor to any basement or portion thereof, used only for storage or for the maintenance of service for the building or structure, shall be constructed of fireproof material throughout, and shall be enclosed in fireproof walls or partitions having a tight metal door, or if a wood door, then metal covered, and containing no glass, other than wired glass, not less than one-fourth of an inch thick.

Sec. 9. Roofs: All roofs of buildings and structures of class "A" shall be constructed of concrete, brick arches or tile, the upper surface of which shall be covered with asphaltum and gravel, cement, concrete, tile or other fire-resisting composition roofing.

Sec. 10. Skylights: Skylight frames on buildings of class "A" construction shall be constructed entirely of metal, and all such skylights shall be glazed with wire glass not less than one-fourth of an inch thick, and no lights therein shall be larger than sixteen inches by forty-eight inches.

PART VIII.

CLASS "B" BUILDINGS AND STRUCTURES.

Section 1. Definition and Limit of Height: Class "B" buildings and structures shall not exceed one hundred feet in height, nor contain more than eight stories, and the exterior walls and piers thereof shall be constructed of masonry and steel, and all interior loads (except those transmitted to exterior walls) shall be carried to the foundation by columns and girders of iron, steel, masonry or concrete.

All wooden joists, furring, studding and soffits of stairs shall be metal lathed and plastered. No studding shall be less than two by four inches in cross-section.

Sec. 2. Structural Metal: Every beam carrying masonry and all columns in class "B" buildings or structures shall be fireproofed as provided in class "A" buildings and structures.

All exposed parts of other structural metal shall be covered with metal lath on metal furring and plastered, leaving an air space of not less than one-half inch behind such lath and plaster.

Sec. 3. Construction of Floors: In buildings and structures of class "B" all floors, ceiling joists and roof joists may be of wood. Every floor shall be composed of two layers of flooring, each of which shall be not less than seven-eighths of an inch thick, with one inch of non-combustible material placed between the layers of the flooring and extending over the entire area to all fixtures and structural parts of such buildings or structures which pass through the floors and between furring strips. Under such layers of non-combustible material there shall be placed a full layer of waterproof paper, or the floor may be constructed with a layer of two-inch tongued or grooved planking and a layer of one-inch flooring, with a layer of waterproof paper between such layers of flooring, or of two thicknesses of asbestos paper between the layers of such flooring. All waterproof paper shall be turned up at least two inches where it comes in contact with the walls of any fixture or structural part of such building or structure passing through the floor.

Sec. 4. Bridging: In buildings and structures of class "B" construction all wood joists shall have at least one row of cross bridging of not less than four square inches sectional area to each twelve feet of span or fraction thereof.

All spaces between joists shall be blocked solid at each bearing partition with blocks not less than two inches thick and of the full height of the joists.

Each stud partition shall have two-inch bridging the full length of the studs at the floor and ceiling and one row of two-inch bridging between the floor and ceiling; provided, that where two-inch plates the full width of studs are used at the floor and ceiling, bridging at the floor and ceiling shall not be required.

Sec. 5. Inter Non-Bearing Partitions: In buildings and structures of class "B" construction, interior non-bearing partitions shall be constructed of studs not less than two inches by three inches and metal lathed and plastered; or such non-bearing partitions may be constructed of hollow terra cotta tile in accordance with the provisions of this Ordinance, or of metal studs, lathed with metal lath and plastered or such non-bearing partitions may be constructed of studs not less than one inch by two inches, lathed on both sides with metal lath and plastered with cement mortar of such thickness that the finished partition shall be not less than two inches in thickness. In order to make the mortar adhere to the studs, each such stud shall have securely fastened thereto a strip of metal lath equal to the full width and length of each such stud, or shall have nails of a size not less than four penny, common, driven not more than two inches apart into each such stud and left with the heads of such nails projecting from the face of such stud not less than one-half inch.

Sec. 6. Stairways: Buildings and structures of class "B" shall have one main interior stairway not less than four feet wide, from the first to the topmost story, but in no case shall there be less than two interior stairways from the top floor to the second floor in any building or structure of more than seven thousand square feet of second floor area, and every such building or structure shall have at least one interior stairway removed not less than ten feet from any elevator shaft or open well hole, and one interior stairway to the roof.

Every building and structure of class "B" having more than 14,000 square feet of floor area on each floor shall have added to its interior stairway not less than two feet in width, from the first to the topmost story, and two additional feet in width added to such stairways for each additional 5,000 square feet or fractional part thereof, to such floor area, provided, however, that where such building or structures used for, or intended or designed to be used for store purposes above the first floor, then such building shall be equipped with interior stairways as follows: For 3,000 square feet of floor area or less, at least one main stairway, not less than four feet wide, from the first to the topmost story; and for each additional 4,000 square feet or fractional part thereof in addition to said 3,000 square feet of floor area, two additional feet in width shall be added to such stairway.

Stairways from the first story to any basement or portion thereof of any such building or structure, occupied

only for storage or for the maintenance of service for such building or structure shall be constructed of fireproof material throughout, and shall be closed at some point with a tight fireproof partition and fireproof door containing no glass other than wired glass not less than one-fourth of an inch thick.

Sec. 7. Elevator, Dumb Waiters and Chutes: All passenger elevators in buildings and structures of class "B" shall be enclosed in a shaft having a covered top; said shaft shall extend from the basement floor to at least eighteen feet above the highest floor reached by the car or not less than three feet above the roof.

The walls of such shaft shall be of brick, tile, concrete or of wood studs having fire stops the width of such studs and not less than two inches thick at each floor, and once between floors, such studs shall be metal lathed on both sides and plastered three-fourths of an inch thick; or such shaft may be enclosed with wire glass not less than one-fourth of an inch thick, set in metal frames and sash.

All doors to such shafts shall be constructed of metal or metal-covered wood, and any glass in doors or shaft walls shall be wired glass not less than one-fourth of an inch thick, set in metal-covered sash and frame.

The room containing the elevator machinery shall be of the construction required for the above-mentioned elevator shaft.

Every dumb waiter, chute or other shaft, abutting through from floor to floor shall be of the same class of construction as required for passenger elevator shafts, or may be of metal or metal lined where too small to plaster, and openings to such shafts, or chutes, shall be provided with metal doors.

If a freight elevator be placed in any such shaft, such shaft shall be constructed as provided for shafts for passenger elevators. In case a freight elevator be not enclosed, trap doors shall be provided at each floor, which doors shall be automatic, or shall be held open by fusible links attached thereto, and so arranged as to fall shut when the links become fused, and shall be covered with lock-jointed tin on the under side and edges.

Sec. 8. Light Courts: In buildings or structures of class "B" the walls of every interior light court the floor or ground area of which exceeds forty square feet shall be constructed as provided for exterior walls; or if such walls be carried on steel beams supported by columns at the several floors same shall be of tile, brick or reinforced concrete not less than four inches thick. Walls of light courts having floor or ground area of one hundred and forty-four square feet or in excess thereof, shall be constructed of brick or hollow tile blocks, laid in cement mortar.

Interior light courts of less than forty square feet in area, if not constructed of brick, reinforced concrete or hollow tile blocks, shall be lined with tight boarding having vertical stripping, and shall be metal lathed and plastered with three-fourths of an inch of hard plaster.

Sec. 9. Roofs: Rafters in buildings and structures of class "B" shall be placed not more than twenty-four inches apart from center to center, and shall be covered with boarding not less than seven-eighths of an inch thick. All roof boarding shall be covered with tin, copper or felt and asphaltum covered with gravel, or with other fire-resisting composition.

Sec. 10. Skylights: All skylights in buildings and structures of class "B" shall be constructed as provided for in class "A."

Sec. 11. Roof Spaces and Cornices: The space between the ceiling and the top story and the roof of the buildings and structures of class "B" shall be divided into sections, each having an area not exceeding two thousand five hundred square feet, by tight partitions of one-inch redwood, or by partitions of studs metal lathed and plastered on both sides. All openings in such partitions shall have doors of similar construction, which shall be self-closing.

All cornices, gutters and appendages on buildings and structures of class "B" shall be constructed as hereinbefore provided for the construction of cornices, gutters and appendages on buildings and structures of class "A."

CLASS "B" SPECIAL.

Slow-burning construction. Buildings and structures intended for factories, blacksmith or machine shops, or for storage of implements or similar machinery, or for storage or marketing of fruits and vegetables; or for use as stables; without interior partitions; and having concrete or masonry walls, may have the interior columns and girders of wood, the least dimensions of which shall be eight inches, without fireproofing.

Such construction shall not be used for buildings or structures over two stories in height; and shall in all other particulars comply with the provisions of class "B" construction and shall be designated "Class B, Special."

PART IX.

CLASS "C" BUILDINGS AND STRUCTURES.

Sec. 1. Definition and Limit of Height: Class "C" buildings and structures shall include every building and structure having its outside walls of masonry or reinforced concrete, wherein all floors and internal loads are not wholly carried and transmitted to the foundation by metal columns and girders, or by reinforced concrete or masonry.

No building or structure of class "C" shall exceed fifty feet, and the number of stories thereof shall not exceed four, exclusive of the basement.

Sec. 2. Amended by Ordinance 154.

Sec. 3. Light Courts: Light courts in buildings and structures of class "C" shall be constructed as hereinbefore provided for the construction of light courts in buildings and structures of class "B."

Sec. 4. Floors: In buildings and structures of class "C" over two stories in height, all floors shall be con-

structed of two layers of seven-eighths inch flooring with two layers of asbestos paper between the layers of flooring.

Sec. 5. Amended by Ordinance 154.

Sec. 6. Stairways: Buildings and structures of class "C" shall have one main interior stairway not less than four feet wide from the first to the topmost story; provided, however, that in no case shall there be less than two interior stairways from the topmost story to the second floor of any such building or structure having more than five thousand square feet of second floor area; and every building or structure of class "C" shall have at least one such interior stairway not less than ten feet from any elevator shaft or open well hole and one such interior stairway to the roof.

Every building or structure of class "C" having more than eight thousand square feet of floor area on each floor shall have two additional feet added to its interior stairways from the first to the topmost story and two additional feet added to such stairways for each additional four thousand feet or fractional part thereof of area in addition to said eight thousand square feet.

Building and structures of class "C" used or intended or designed to be used for store purposes or factory purposes above the first floor shall be equipped with interior stairways as follows: For every three thousand square feet or less of each floor area, at least one main stairway from the first to the topmost story, and one additional such stairway for each additional three thousand square feet or fraction thereof of floor area in addition to said three thousand square feet.

Stairways from the first story to any basement or portion thereof in such building or structure used for storage only, or for the maintenance of service for such building or structure, shall be closed at some point with a tight partition and door containing no glass other than wired glass not less than one-fourth of an inch thick.

Sec. 7. Elevator Shaft, Dumb Waiters, Chutes and Other Shafts: Elevator shafts, dumb waiters, chutes and other shafts in buildings and structures of class "C" shall be constructed as hereinbefore provided for the construction of elevator shafts, dumb waiters, chutes and other shafts in buildings and structures in class "B."

Sec. 8. Roofs: Roofs of buildings and structures of class "C" shall be constructed as hereinbefore provided for the construction of roofs for buildings and structures of class "B."

All cornices, gutters and appendages on buildings and structures of class "C" shall be constructed as hereinbefore provided for the construction of cornices, gutters and appendages on buildings and structures of class "A."

Sec. 9. Skylights: All skylights in buildings and structures of class "C" shall be constructed as hereinbefore provided for the construction of skylights in buildings and structures of class "A."

PART X.

CLASS "D" BUILDINGS AND STRUCTURES.

Section 1. Definition and Limit of Height: Class "D" buildings and structures shall include every building and structure not included in classes "A," "B" and "C."

Class "D" buildings and structures shall not exceed fifty feet in height, nor contain more than four stories.

The studs of the interior walls of class "D" buildings and structures over three stories in height shall be sheathed diagonally with boards not less than seven-eighths of an inch thick, exclusive of the weather covering.

Buildings and structures more than one story in height, except barns and outhouses, shall have masonry or concrete footings and foundations.

Sec. 2. Studding: In buildings and structures of class "D" the upper two stories shall have two by four inch studs and all lower stories shall have not less than two by six inch studs, in bearing partitions and exterior walls. Non-bearing stud partitions not more than twelve feet in height may have studs of dimensions not less than two by three inches.

Except in private dwellings, all wood joists shall have at least one row of cross bridging of sectional area not less than four square inches to each twelve foot or fraction thereof of span. All spaces between joists shall be blocked at each bearing partition, with solid blocks not less than two inches thick and the full depth of the joists.

Each stud wall and partition shall have two-inch bridging at the floor and ceiling and one row of two-inch bridging between the floor and the ceiling; provided, however, that where two-inch plates are used, the full width of the stud wall or partition, bridging at the floor and ceiling shall not be required.

All of class "D" buildings and structures shall have diagonal bracing in the stud walls or partitions in every story, and such diagonal bracing shall be constructed in each stud wall or partition in each twenty-five feet of length thereof.

No studding shall be placed against a wooden wall of another building or structure unless the said studding is strengthened with one-inch boards, close-joined, on the side thereof next to such adjacent building or structure.

Sec. 3. Floors: The floors of class "D" buildings and structures four stories in height shall be constructed of two layers of boards, the sub-floor of which shall not be less than seven-eighths of an inch in thickness.

Sec. 4. Stairways: All buildings and structures of class "D," other than dwellings, more than two stories in height. shall have at least one interior stairway not less than four feet wide, from the first to the topmost story thereof. Every such building or structure containing more than three thousand square feet of second floor area shall have an additional such stairway for each additional three thousand square feet or fractional part thereof of second floor area. Every such building or structure over two stories in height shall have at least one such stairway

from the topmost story to the roof. Every such building or structure, two stories in height, shall have at least one interior stairway not less than four feet in width from the first story to the topmost story thereof for each four thousand square feet or fractional part thereof of second floor space; provided, however, that in warehouses or factory buildings and structures of class "D" construction not exceeding two stories in height, if the second story thereof be not divided by partitions and otherwise, and no female person be employed above the first floor of such building, there shall be provided not less than one interior or exterior stairway not less than three feet in width from said second floor to the first floor of said building or structure or to the ground, for each seven thousand square feet or fractional part thereof of second floor area; provided, further, that not less than one-half the stairways required in any such building shall be placed on the exterior thereof unless an odd number of stairways be required, in such event the majority by one of such stairways may be placed in the interior thereof, at the option of the owner of the building or structure.

Sec. 5. Elevator Shafts, Etc.: Elevator shafts, dumb waiters, chutes and other shafts in buildings or structures of class "D," except private dwellings, shall be constructed as hereinbefore provided for the construction of elevator shafts, dumb waiters, chutes and other shafts in buildings and structures of class "B."

Sec. 6. Skylights: Skylight frames in buildings and structures of class "D" construction, other than dwellings, shall be constructed entirely of metal, and all skylights shall be glazed with wire glass not less than one-fourth of an inch thick, and no light therein shall be larger than sixteen inches by forty-eight inches.

Sec. 7. Roof Spaces: Roof spaces in buildings and structures of class "D," other than dwellings, shall be subdivided as hereinbefore provided for roof spaces in buildings and structures of class "B."

PART XI.

SPECIAL PROVISIONS RELATING TO CERTAIN BUILDINGS AND STRUCTURES DETERMINED FROM THE PURPOSE FOR WHICH SAME ARE TO BE USED.

Section 1. Paragraphs 1 and 2 amended by Ordinance 244.

Paragraph 3 amended by Ordinance 472.

Sec. 2. Hospitals, Asylums, Etc.: It shall be unlawful for any person, firm, association, or corporation to occupy, use or maintain a hospital, sanatorium, sanitarium or asylum in any building or structure hereafter erected or constructed in the City of Phoenix more than two stories in height unless such building or structure be of class "A" or "B" construction; provided, however, that open air sleeping porches, or sleeping quarters, may be constructed and maintained upon the roof of any one-story sanatorium, sanitarium or asylum of class "C" or "D"

construction, and having not to exceed fifteen rooms, exclusive of basements or cellars; such open air sleeping porches or sleeping quarters, if constructed of incombustible material, may be constructed and maintained upon the roof of class "A" and "B" construction.

It shall be unlawful for any person, firm, association or corporation after this Ordinance becomes effective to change or convert any building or structure exceeding one story in height into a hospital, sanatorium, sanitarium or asylum, unless such building or structure shall conform to the provisions of this Ordinance for new buildings of this character.

The walls and ceilings of the corridors of the floors of every hospital, sanatorium, sanitarium or asylum shall extend from one exterior wall to another in a line as direct as practicable; and every such corridor shall have a door at each end thereof; and if more than one story in height, such hospital, sanatorium, sanitarium or asylum shall have a fire escape at each end of each such corridor.

Every fire escape in such building or structure shall consist of an iron stairway from the ground to the topmost story, and shall have a landing at each story communicating with such corridor. The tread of such stairway shall not be less than eight inches wide, and the risers shall not be more than seven inches high.

Each such fire escape stairway shall have a substantial iron railing at least three feet high on its exposed sides; from the landing of the top story a metal ladder shall extend to the roof as provided in this Ordinance for other fire escapes; or in lieu of such stairway a special, or other form of chute, type of fire escape, of fireproof construction, subject, however, to the consent and approval in writing of the City Inspector of Buildings.

Where any hospitals, sanatoriums, sanitariums or asylums be built on the pavilion system, consisting of two or more buildings, connected by corridors, there shall be automatic closing Underwriter fire doors at each end of every corridor, connecting each building.

The provisions of this section shall not apply to any hospital, sanatorium, sanitarium or asylum, constructed, used and occupied as such at the time of the passage of this Ordinance; except that fire escapes shall be installed as herein provided. Provided, however, all alterations, changes, additions or repairs made thereto shall be in full compliance with the provisions of this Ordinance.

Sec. 3. Hotels: It shall be unlawful for any person, firm, association or corporation to erect, construct or maintain, or to cause to be erected, constructed or maintained, any building or structure to be used or designed to be used as a hotel, apartment house, tenement house, or lodging house, of more than three stories in height, unless the same be of class "A," "B" or "C" construction, or more than four stories in height, unless the same be of "A" or "B" construction.

In buildings or structures of class "B" construction more than two stories in height to be used or designed to be used as hotels, apartment houses, tenement houses or

lodging houses, all corridors, hallways and the under side of stairways not constructed of fireproof material shall be metal lathed and plastered.

Sec. 4. Theaters and Assembly Halls: Every building or structure used as a theater or assembly hall shall be built to conform to the requirements of this section.

All buildings and structures already built and being used for theatrical purposes or public entertainment shall conform to the requirement of this Ordinance regarding seating, aisles, stairways and other means of exit and entrance and means of fighting fire.

No such building or structure shall be open to the public for theatrical purposes without the written approval of the City Inspector of Buildings, and the Chief of the Fire Department, and such approval shall be given only when all such requirements shall have been met.

Sec. 5. Height and Class of Construction: Theaters. The main entrance or entrances shall not be at a higher level than the sidewalk at that point. The floor level at the highest row of seats, on the main floor, shall not be more than six feet above the sidewalk level at the main entrance; and the floor level at the lowest row of seats, on said floor, shall not be more than six feet below such sidewalk level.

All theaters of seating capacity of more than six hundred persons, and all theaters having one or more balconies, shall be of class "A" or "B" construction.

Sec. 6. Assembly Halls: All assembly halls accommodating more than one thousand persons, and all assembly halls with one or more balconies accommodating in the aggregate more than one hundred and fifty persons, shall be of class "A" or "B" construction. All other assembly halls shall be of class "A," "B" or "C" construction, except as follows:

All assembly halls accommodating not more than seven hundred and fifty persons may be built of class "D" construction, providing the following conditions shall be complied with:

(1) There shall be no balcony.

(2) The highest point of the main auditorium floor shall be not more than five feet above or five feet below the grade line of the main entrance.

(3) The floor area of the entire building shall not exceed 6,000 square feet.

(4) The building shall be at least twenty feet distant from any other building or adjoining lot line.

Every assembly hall accommodating more than 750 persons shall have the highest point of the main auditorium floor not more than eight feet above, and in no case below, the grade line of the main entrance; except in a building or structure of class "A" construction, when the highest point of such auditorium floor shall not be more than twenty feet above nor eight feet below the grade.

An assembly hall accommodating more than 750 persons and with not more than one balcony, may be placed

in the second floor of a building of class "A" and "B" construction.

An assembly hall accommodating not more than 400 persons and with no balcony may be placed on the second floor of a building of class "C" construction.

An assembly hall accommodating not more than 200 persons and with no balcony may be placed in the third story of a building of class "C" or "D" construction, or may be placed in any story of a building of class "A" or "B" construction.

A private assembly hall accommodating not more than 500 persons may be placed on any floor of a class "A" building.

Sec. 7. Amended by Ordinance 226.

Sec. 8. Capacity: The capacity of a theater or assembly hall shall be established by the actual number of permanently fixed seats. Where permanently fixed seats are not provided, the capacity shall be established by allowing fifteen square feet of floor space per person in halls used as dance or dining halls only, and six square feet per person in all other halls.

No greater number of persons than the number thus established shall be permitted to enter any theater or assembly hall.

Sec. 9. Stairways and Other Means of Ingress: Width: The width of stairways, passageways, doors and other usual means of ingress and egress shall not be less than 20 inches per hundred persons accommodated, but in any event the width shall not be less than six feet.

Sec. 10. All Stair Exits: Width: Every required stairway, whether enclosed or not, shall be at least three feet and eight inches wide, of which not more than four inches on each side shall be occupied by a substantial handrail. Every platform shall be at least as wide as the stairway, measuring at right angles to the direction of travel. Every straight run platform shall measure at least three feet in the direction of travel. Whenever a door opens onto a stairway, a platform shall be provided extending forward the full width of the door.

The width of any stairway shall be the clear distance between walls or stringers, of which not more than four inches on each side shall be occupied by a substantial handrail.

If other stairways are provided in addition to those required by this Ordinance, such additional stairway shall conform to these provisions.

For theaters, the width of regular and emergency exits combined, as required, shall be forty inches per 100 persons.

Sec. 11. All Stair Exits: Handrails: All exits, stairways and steps of more than three risers shall have substantial handrails on each side. Stairways more than eight feet wide shall be divided by center rails into widths not more than eight feet or less than three feet and eight inches in addition to side handrails at the sides thereof. Rails shall be not less than two feet six inches vertically above nose of threads and three feet above platform.

Sec. 12. Risers and Treads: Every such stairway used by the public in a theater or public assembly hall shall have a uniform rise of not more than 7½ inches and a uniform tread of not less than ten inches, measuring from tread to tread and from riser to riser; no winders shall be used; there shall be not less than three nor more than sixteen risers in any run.

Balconies or galleries above the first gallery or balcony shall be provided with distinct places of exit and entrance, but a common place of exit or entrance may serve for the main floor and first gallery, provided such place or exit or entrance be of the aggregate capacity of the outlets from these floors.

Sec. 13. Emergency Exits: Theaters: Additional to the usual means of ingress and egress, emergency exits shall be provided as follows: The minimum total width of such exit doorway, and also of the steps, shall be at the rate of 20 inches per 100 persons, but in no event less than three feet and eight inches in the aggregate width.

The main auditorium floor shall have a separate exit door for each 300 persons or fraction, with incline to grade. No part of any incline shall have a drop or fall of more than one foot in eight. Each balcony or gallery shall have a separate exit door for each 200 persons or fraction, opening to a separate incombustible outside stairway or to a separate fire escape or fireproof passageway leading to a street, alley or open court. All exit doors shall be apportioned as nearly equally as possible on opposite sides of the building, and be so placed as to afford the best possible egress.

All stages shall have two exit doors, placed at least as far apart as the width of the proscenium opening; the basement under the stage shall have an exit door placed as far as possible from the usual entrance. Such exit shall have incombustible steps to grade, and the doors and steps shall be at least three feet and eight inches in width. The fly gallery shall have an exit door at least three feet wide, located at the opposite end of the gallery from the usual means of egress, and leading to a fire ladder or to a part of the building or structure other than the stage section. Each dressing room section and employee's room shall have an emergency exit with incombustible steps or fire escape to grade.

Sec. 14. Assembly Halls: Class C and D: Every class "C" and "D" assembly hall shall conform to the foregoing requirements, except that a separate emergency exit for each 200 persons or fraction thereof shall be provided. Each exit shall have standard exit doors opening directly from the auditorium to a separate incombustible outside stairway or to a separate fire escape. This provision shall apply separately to the main floor, and to each balcony or gallery accommodating more than 100 persons.

All exits shall be placed as far apart as possible.

Sec. 15. Assembly Halls: Class "A" and "B": For assembly halls of class "A" and "B" construction no emergency exists or fire escapes will be required, provided the

regular entrance and stairways have an aggregate width 50 per cent greater than the requirements in the preceding sections provided. Emergency exits, as described in the preceding provisions, may be substituted for any part of this additional width. In any case the total number of exits (including both the usual and emergency exits) shall be at least two where not more than 400 persons be accommodated, and one additional for each additional 400 persons or fraction. These requirements shall apply separately to the main floor and to each balcony and gallery accommodating more than 150 persons.

Sec. 16. Exit Doors: Every required exit door (whether usual or emergency) shall open outward and be as hereinafter described, which shall be standard for the purpose of this Ordinance.

No single door or leaf to a double door shall be more than four feet wide. No two doors shall be hinged together. No rolling, sliding or revolving door shall be used in an exit from any theater or assembly hall, nor shall any such door be permitted in any theater where it would be liable to be used by the public as an exit.

Sills at all exits shall be level and flush with adjacent outside floors, and such floors shall extend without break to the level or gradient for a distance not less than the width of the adjacent aisle.

Sec. 17. Seats: All seats, chairs and benches shall be placed not less than two feet six inches from back to back measured horizontally. All seats shall average at least 20 inches in width, and no seats shall be less than 16 inches wide. If benches without arms between seats are used, the seating capacity shall be established by allowing one sitting or seat to each 18 inches of length.

All seats, chairs and benches, except chairs in boxes or loggias, shall be securely fastened to the floor; and if the floor be level, the seats and chairs may be fastened together in sections securely fastened to the floor at each end.

Loose chairs and seats shall not be used unless a special permit in writing be secured from the City Inspector of Buildings or the Fire Chief.

There shall not be more than 13 seats in any row between aisles, and not more than 6 seats in a row having an aisle on one side only.

No seat bench or platform on which seats are placed shall be more than 22 inches in height of risers. No such seat, bench or platform shall be nearer the ceiling than 7 feet.

Sec. 18. Aisles and Passageways: Width of Aisles: All aisles having seats on both sides shall be not less than 2 feet 10 inches wide at the beginning, and shall increase in width toward the exits at the rate of 1-4 inch per foot of run; or such aisles may have a uniform width not less than the average width of the foregoing calculation; but no wall aisle shall be less than 2 feet 6 inches wide and no other straight aisle shall be less than 2 feet 6 inches wide.

When main aisles are longer than 40 feet there shall

be a cross aisle leading to each required side exit. Cross aisles shall be not less than four feet wide.

Sec. 19. Passageways and Foyers: Passageways and foyers shall be in no case less than 5 feet wide, and shall be so arranged and apportioned as to prevent congestion and confusion. Passageways and foyers which serve as means of egress (whether usual or emergency) shall be at least equal in combined width to the required width of the stairways, passageways and doors leading to them.

Sec. 20. Inclines and Aisle Steps: To overcome any difference in level between courts, corridors, lobbies or passageways on the ground floor inclines shall be employed. Inclines shall not exceed one foot rise to ten feet of run, except in the main aisles of auditorium, where gradients of one foot rise in eight foot of run may be used.

Steps in balcony aisles shall extend the full width of the aisle.

Sec. 21. Scuttle: Over the stage and auditorium there shall be permanent means of access to the roof by means of scuttles from the inside. Each opening shall be not less than 20x20 inches and there shall be a substantial permanent ladder or stairway leading thereto.

Sec. 22. Proscenium Wall and Curtain Wall: The stage of every theater shall be separated from the auditorium by a brick wall at least twelve inches thick, or monolithic concrete wall at least 8 inches thick. If the wall is more than 16 feet high or more than 40 feet long without proper lateral bracing, it shall be at least 25 per cent thicker. The wall shall start at the basement floor, except in a class "A" building or structure with unpierced fireproof stage floor. The wall shall extend upward to a roof or floor in a class "A" building or structure; or, in class "B," "C" and "D" buildings or structures, to a point at least four feet above the highest adjoining roof. There shall be not more than two openings (excluding the proscenium opening) in the proscenium wall. Such opening shall not exceed 21 square feet superficial area each and shall be provided with underwriters' fire doors.

Above the proscenium opening there shall be a fireproofed girder or other fireproof support of sufficient strength to safely carry the load above.

Sec. 23. Curtains: The proscenium opening in every theater where scenery be used shall be provided with a rigid fireproof curtain of asbestos conforming to the following specifications, or of equivalent approved construction.

Curtains of the rigid steel type shall consist of a rigid steel frame covered on the audience side with not less than No. 16 U. S. gauge sheet steel, and on the stage side with vitrified cellular asbestos boards at least one inch thick. The curtain shall overlap the proscenium wall (at the near side thereof) not less than 12 inches at each side and 24 inches at the top, and shall slide vertically between rolled steel guides not less than 1-4 inch thick.

Curtains of asbestos cloth shall be substantially woven

of asbestos fiber not less than 25 per cent, and shall weigh not less than 2½ pounds per square yard. All seams shall be lapped not less than one inch and sewed in two rows with not less than 1-16 inch pure asbestos twine. At the top and bottom of the curtain a 1½ inch (or larger) metal pipe shall be placed and shall be securely fastened in and covered by the curtain. The curtain shall overlap the proscenium wall (at the near side thereof) not less than eighteen inches at each side and 24 inches at the top, and shall be guided at each side by metallic loops or rings sliding on a steel cable. Combustible paint shall not be used.

For curtains of any type, the connection between curtain and wall shall be made as nearly smokeproof as possible. Provision shall be made to prevent any such curtain from leaving or binding on the guides under any conditions. No part of any such curtain or any of the guides thereof shall be supported by or fastened to any combustible material.

The hoisting apparatus for any such curtain shall be designed with a factor of safety of 8 or more. The device for controlling any such curtain shall be simple in design and capable of convenient operation from both sides of the stage and from the fly galleries.

Besides the regular operating mechanism there shall be an emergency device which will allow the curtain to drop by gravity. Such device shall be so arranged as to be easily operated by hand from each side of the stage and from the fly galleries, and also that its operation will be controlled by fusible links placed on each side of the stage and in the fly galleries, and when thus operated it shall descend at its normal rate of speed.

All such curtains and the operating mechanism thereof shall be so designed and controlled at all points, whether specially mentioned or not, as to form an efficient and reliable barrier against fire and smoke, according to the best practice.

Sec. 24. Stage Ventilator, Etc. Automatic Ventilators: Every stage containing movable scenery shall be provided with one or more automatic ventilators placed near the center and above the highest part of the stage, extending at least three feet above the roof, and having a combined area equal to at least 8 per cent of the area of the stage floor. Louvre openings shall be not less than twice the sectional area of the shaft. Such ventilators shall be designed and constructed so as to open by gravity, and so as to effectively overcome the effects of neglect, rust, dirt, heat, twisting, or warping of the framework thereof. Louvres or dampers in such openings shall be held closed by cotton or hemp cords running to the stage floor close to each stage door. Fusible links shall be inserted in each floor, and one midway between these two.

Sec. 25. Stage Vestibules: All entrances to the stage shall be vestibuled in such manner as to protect the curtain, scenery and auditorium from draughts of air.

Sec. 26. Footlight Trough: The footlight trough shall be made of incombustible material.

Sec. 27. Fireproof Paint: All stage scenery, curtains and decorations made of combustible material, and all woodwork in or about the stage, shall be painted or saturated with some incombustible material or otherwise rendered safe against fire.

Sec. 28. Workshop, Storage and General Property Rooms: No workshop, storage room or scenery deck shall be placed above or below the stage or auditorium of any theater, or in any fly gallery. Workshops, storage and general property rooms and scenery decks shall be separated from the rest of the building by masonry or concrete walls, and by fireproof ceilings and floors, and all openings in such walls shall be provided with underwriters' fire doors.

Sec. 29. Dressing Rooms: Sections containing the dressing rooms shall be separated from stages or other parts of the building or structure by masonry or concrete walls; and the openings connecting such sections with the stage and other parts of the buildings or structures shall be protected by self-closing fire doors. Partitions dividing dressing rooms, and partitions and ceilings of all passageways from dressing rooms to the stage, shall be incombustible.

No dressing room or employee's room shall be placed more than one story below the grade line, and no dressing room shall be placed above or below the auditorium.

Sec. 30. Boiler and Furnace Rooms: Every boiler or furnace room, including breaching, shall be enclosed with brick or concrete walls and with fire doors, fireproof ceiling and floor, except that in the case of a private assembly hall accommodating not more than 300 persons, the floors and walls of the boiler or furnace room shall be incombustible, but fire doors and fireproof ceiling will not be required.

Every boiler operating with more than 15 pounds steam pressure per square inch shall, together with furnace and breaching, be enclosed with a masonry or concrete enclosure and fire doors, fireproof ceiling and floor, and shall be located in a separate building, or be separated from the remainder of the building by a concrete masonry division wall.

If possible, the boiler or furnace room shall not be located below the stage, auditorium, foyer or exits.

Sec. 31. Heating and Ventilating: All theaters and assembly halls seating 300 or more persons shall be provided with a ventilating system which shall furnish at least 1200 cubic feet of fresh air per hour for each person accommodated, and which shall change the air at least three times per hour, in all parts of the auditorium thereof. Fresh air shall be taken from the outside of the building or structure, and no vitiated air shall be reheated unless immediately theretofore washed by a mechanical washer of approved design. No floor register for heating or ventilating shall be placed in any aisle or passageway

unless such register be reinforced with suitable wrought iron or steel ribs not more than twelve inches apart. Radiators in passageways of auditoriums shall be recessed, or elevated at least 7 feet above the floor.

Sec. 32. Lights: Oil lamps shall not be used in or about any stage containing scenery. No gas lighting of any kind shall be used on any stage containing scenery, nor in any property room, storage room, scene deck or fly gallery. Gas fire used for heating water, etc., shall be enclosed in iron jackets.

Sec. 33. Exit Lights: Under "Exit Lights" shall be included lights over all doors and over the entrance to all stairways and passageways leading from auditoriums, balconies or galleries to streets, alleys or open courts, and any other lights which may be necessary to lead or direct the audience from the auditoriums, balconies, galleries or other public parts of the building to streets, alleys or open courts; also such lights as may be necessary to lead or direct all performers and stage employees (including all persons on or about the stage) to public streets, alleys or open courts.

Exit lights shall be either:

(1) Electric lights, fed independently on the general lighting system and connected via automatic shunt with battery when usual current shall fail. This circuit shall not pass through or near the stage or moving picture booth.

(2) Or where the usual electric current shall fail, such lights may be candles or oil lamps using non-volatile oil with floating wick and shall be properly shielded from drafts and from adjacent woodwork or other combustible material.

Every portion of the theater devoted to the use or accommodation of the public except the general auditorium, also all outlets leading to the streets and including all open courts, passageways, stairways, doors and fire escapes, shall be kept well and properly lighted during every performance and the same shall remain lighted until the entire audience shall have left the premises.

Every exit light over an exit door or over the entrance to a stairway or passageway, or other means of egress (whether usual or emergency) shall have a red illuminated sign bearing the word "exit" in plain letters at least 5 inches high, or a similar sign placed below a red light.

Sec. 34. Toilet Rooms: Separate toilet rooms in connection with auditoriums shall be provided for males and females. One closet shall be installed for each 100 females or fraction, and one closet and one urinal for each 200 males or fraction. The above number of fixtures shall be based upon the maximum seating capacity, assuming the audience to be equally divided between males and females.

Water closets in connection with the stages shall be provided in every theater accommodating more than 300 persons. There shall be separate closets for males and females.

Sec. 35. Air: In every theater and in every assembly hall accommodating more than 300 persons, provision shall be made for supplying at least 30 cubic feet of air per minute for each occupant thereof.

Sec. 36. Fire Protection. Standpipes: Interior standpipes with lines of 1½ inch hose shall be installed as follows:

Every theater or public assembly hall accommodating not more than 300 persons shall have at least one standpipe in the balcony, one at the rear of the auditorium, one on the stage, and one under the stage.

Every theater or public assembly hall accommodating more than 300 persons shall have at least one standpipe in the auditorium, one in the balcony and gallery, one on each side of the stage near exit, one in each fly gallery, near stairway, and one on each side of the basement under the stage, near exit.

The above lines of hose shall not be more than 75 feet long, and where such lines of hose will not reach the extreme parts of such portions of the building or structure, additional standpipes and hose shall be installed. All such standpipes shall be filled with water at the usual pressure at all times while the building is in use.

Sec. 37. Mirrors, False Openings: No false openings giving the appearance of a door or window, where none exists, shall be placed in any part of a theater or assembly hall used by the public.

No mirror shall be placed in any part of a theater used by the general public, except in the women's and men's retiring and toilet rooms.

Sec. 38. Moving Picture Machines and Booths—Construction of Booth: Every picture machine shall, before being operated, be installed in a booth constructed entirely of fire-resisting material, including brick, tile, concrete, two-inch cement plaster on metal lath and metal frames, or of sheet iron or asbestos sheathing, as specified below. The size of the booth (for one machine) shall be not less than 5 feet by 5 feet by 6 feet high.

Every booth made of sheet iron or asbestos sheathing shall have its frame constructed of not less than 1¼ by 1¼ by 3-16 inch steel angles or tees, placed not more than two feet apart, properly braced to secure rigidity, and securely riveted or bolted at joints. The sheathing shall be of not less than No. 20 U. S. gauge sheet iron or ¼ inch hard asbestos board, securely riveted and bolted to the frame. The floor shall be constructed of the same material as the sides and top, riveted or bolted to the frame, and covered with a rubber or cork matting. No sheet metal booth shall be placed nearer to any combustible partition, wall or ceiling, than 2 feet.

Sec. 39. Door: The door shall be no larger than 2 by 5 feet, and shall be of the same construction as the booth, or be at least ¾ inch thick and clad with metal not less than No. 20 U. S. gauge, and shall swing outward, and close automatically, either by means of a spring on the outside or by a metal rope and weight. Two metal

latches shall be provided, one about 12 inches below the top and the other about 12 inches above the bottom of the door, so connected that one operation opens both latches.

Sec. 40. Openings: The openings for the operator's view, or for the picture, shall not be larger than 12 inches square, and shall be provided with a gravity door, of the same construction as specified for the booth, held open by fusible links placed in series, so arranged that one of the links shall be suspended directly over the film when in the slide of the apparatus; or such openings shall be so arranged as to be closed except when held open by pressure of the operator, and shall not be blocked or held open in any manner, except as here described.

Sec. 41. Ventilation: Each booth shall be provided with metal ventilating pipe not less than 12 inches in diameter, extending outside of the building.

If a 12-inch outlet pipe be impracticable, a smaller pipe may (if approved by the City Inspector of Buildings) be used if provided with an efficient rotary fan.

A fresh air opening shall also be provided near the rear end of the booth, in or near the floor, connecting with a metal duct of not less than 120 square inches area, leading from the outside, and having a damper operating automatically by fusible links, and a damper operated at the will of the operator. If a standard fire window be provided not less than 4 square feet in area, connecting with the outside air, and opening not less than one-half, then the ventilating pipes (both inlet and outlet) may be omitted.

Sec. 42. Machine: Every machine shall be provided with feed and take-up reels in metal receiving boxes with riveted or flanged joints. A shutter shall be placed in front of the condenser, arranged so as to be closed, except when held open by the operator, or by some other device insuring the immediate dropping of the shutter when operation of the machine is stopped.

Sec. 43. Films, Etc.: Magazines shall be used for receiving and delivering films during the operation of the machine. Films not in the machine shall be kept in metal boxes, with tight-fitting covers while in the booth. No combustible substance of any sort shall be permitted in the booth, except the film used in operation.

Sec. 44. Temporary Booth: Every temporary booth shall be of approved design, conforming as far as possible to the requirements of permanent booths. Every booth used for more than three consecutive performances in one location shall be considered a permanent booth.

Sec. 45. General Provisions Regarding This Part: Nothing contained or provided in this part referring to theaters and assembly halls shall be construed as conflicting with or limiting the general provisions of this Ordinance regarding the class of construction required by the fire limits of the City of Phoenix.

PART XII.

SPECIAL PROVISIONS RELATING TO CERTAIN STRUCTURES AND APPLIANCES.

Section 1. Fire Escapes: On buildings and structures already erected, and which under the provisions of this Ordinance require a fire escape, before such fire escape be built a permit shall be obtained from the City Inspector of Buildings, for which a fee of one dollar ($1.00) shall be charged. Such permit shall be subject to the provisions of this Ordinance regarding commencing of work and forfeiture of permit as laid down in this Ordinance in connection with regular building permits.

If the City Inspector of Buildings shall find upon inspection that any building or structure be not properly provided with fire escapes, he shall, in writing, notify the owner or the person having charge of such building or structure, that fire escapes are required; and such owner or occupant shall have ten days after receipt of such notice in which to commence construction of such fire escapes, and if such construction be not started within ten days, all parts of the building above the second floor shall be vacated forthwith. The posting of a notice on such building or structure in a conspicuous place thereon by the City Inspector of Buildings shall be construed as meeting the requirements of this section as to notice and specifications. And it shall be the duty of the Chief of Police to enforce such notice of the City Inspector of Buildings.

Sec. 2. Where Not Required: The provisions of this section shall not apply to churches or dwelling houses, or to warehouses, storage elevators, ice houses or cold storage plants, in which no person but the watchman is regularly employed above the second floor between the hours of six o'clock p. m. and five o'clock a. m. of the succeeding day.

Sec. 3. Permits for Fire Escapes: It shall be unlawful for any person, firm, association or corporation to erect, construct, or change the location of any fire escape required by the Ordinance of the City of Phoenix without first obtaining a permit from the City Inspector of Buildings so to do.

Every building or structure three or more stories in height, except as in this Ordinance otherwise provided, shall be provided and equipped with metallic fire escapes, consisting of metallic balconies, stairways and railings, firmly secured to the outer walls, and erected and arranged in such a way and in such proximity to windows or doors of each story above the first story of such buildings and structures as to render said fire escapes readily accessible from the interior of such building or structure. On every such building or structure there must be at least one fire escape connected with every floor above the first floor. Every such building of classes "B" and "C" containing more than five thousand square feet of floor area on any floor above the first story shall be provided and equipped with an additional fire escape for every additional five thousand square feet of area, or fractional part thereof,

contained in the floor of largest area above the first story; and every such building or structure of class "D" construction containing more than four thousand square feet of floor area on any floors above the first story shall be equipped with an additional fire escape for every additional four thousand square feet of floor area, or fractional part thereof, contained in the floor of largest area above the first story. On every building of class "A" there shall be a fire escape for every ten thousand square feet of area, or fractional part thereof, in the floor of the greatest area above the first story.

Sec. 4. Specifications for the Erection and Construction of Fire Escapes: Except where otherwise provided in this Ordinance, the materials and mode of construction for fire escapes hereafter installed shall be as follows:

The balcony of every fire escape shall be not less than thirty-six inches in width, and not less than seven feet in length; provided, however, that where structural features of any building or structure will not permit the erection of a fire escape balcony of the length or width herein required, then and in that event the City Inspector of Buildings may issue a permit in writing allowing such balcony to be constructed of a length less than seven feet or a width less than thirty-six inches, provided that in no event shall any such balcony contain less than eighteen square feet of floor area. The openings in the floor of the balcony for the stairway shall be not less than twenty inches by thirty inches, provided that no such opening shall be made in any lowest balcony. The stairway shall be not less than eighteen inches in width and shall be constructed as follows:

The stringers shall be of steel not less than one-fourth inch by four inches; the treads shall have a rise of not more than twelve inches and shall be of one-fourth inch by four inch steel. The stairway shall have minimum inclination of four inches horizontal to twelve inches vertical height, and there shall be a landing not less than twenty inches wide at the top and at the bottom of the stairway.

Where the height of a story be such as to preclude the possibility of obtaining four-inch inclination to each twelve-inch vertical height and still have the top and bottom of such stairway in proper location within such balconies, the balconies shall be long enough to accommodate the stairway. In all cases where the length of the stairway between balconies exceed twelve feet, such stairway shall be braced in the center thereof.

There shall be an iron gooseneck ladder extending from the balcony at the top of floor to and above the roof of the building or structure. The portion of the ladder from the balcony to the top of the wall shall be parallel to the general face of the wall. Such ladder shall be not less than fifteen inches wide.

All parts and details of the construction of balconies, ladders, stairways and handrails shall be firmly supported and stiffened so as to be perfectly rigid, durable and secure.

Each balcony shall be tested by the owner or builder thereof at his own expense, in the presence of the City Inspector of Buildings, with a dead load of one hundred pounds per square foot of floor area. If the balcony shows any weakness in construction or anchorage, it shall be strengthened at once by the owner or builder and made in every way satisfactory to the City Inspector of Buildings.

Sec. 5. Floor of Lowest Balcony of Fire Escape: The floor or bottom of the lowest balcony of every fire escape shall have no opening or open space therein of greater width than one inch.

Sec. 6. Passageways to Fire Escapes: In buildings or structures already erected, where the fire escapes cannot be so placed as to be accessible from the hall or corridor, and where the only means of reaching a fire escape be through a room, then the door of such room shall be a sash door, and over such door there shall be suspended a light of not less than eight candle power, enclosed in a red colored globe, which said light shall be kept continuously lighted from sunset to sunrise of each succeeding day. There shall also be painted upon said wall contiguous thereto, or upon a sign suspended not more than twelve inches below such light, the words, "To Fire Escape," the letters of such words to be not less than three inches in height, and shall be white upon a black background.

Sec. 7. Hallways to Fire Escapes: Exterior fire escapes required by this Ordinance on any building or structure hereafter erected or remodeled shall be located at the end of a hall or passageway.

Sec. 8. Windows Opposite Fire Escapes: Every door or window leading directly into any part or portion of a fire escape shall be hung so as to be readily opened.

Sec. 9. Obstruction to Fire Escapes: It shall be unlawful for any person, firm, association or corporation to attach, fasten or tie onto, permit, allow or suffer to be attached, fastened or tied, to any escape or standpipe, any rope, cable, wire or standard.

It shall be unlawful for any person, firm, association or corporation in any manner or by any means, to obstruct or to permit, allow or suffer to be obstructed, fire escapes or any portions thereof, or any hallway or passageway leading to a fire escape.

Sec. 10. Location of Fire Escapes and Standpipes: The City Inspector of Buildings shall have power to determine the location of all fire escapes and standpipes, and the number thereof, in such cases as the number and location thereof be not fixed by this Ordinance; the said City Inspector of Buildings shall have power to inspect the same to see that they are properly constructed and sustained, as required by this Ordinance. Before a permit be issued for any building or structure required to have fire escapes and standpipes, the plans thereof shall be submitted to the City Inspector of Buildings, and the number and location of such fire escapes shall be determined and designated by the City Inspector of Buildings, and endorsed on such plans .

Sec. 11. Installation of Storage Tanks: All storage tanks for the storage of gasoline or distillate shall be placed under the directions in writing of the City Inspector of Buildings.

(1) All such storage tanks shall be placed outside of the building, below the sidewalk grade and close to the curb line.

(2) When the sidewalk be not excavated for sidewalk use, the top of all such storage tanks shall be at least four feet below the sidewalk grade. Space between the top of the tank and the sidewalk grade shall be filled solidly with earth.

(3) Where the sidewalk be excavated and used as a part of the basement, such storage tanks may rest on the basement floor, in which case a brick or concrete wall not less than twelve inches in thickness shall be constructed around such storage tanks, standing up to four feet above the top of such tanks. The space between the top of any such tank and the solid wall shall be filled solidly with earth to within four inches of the top of such wall; such earth shall be covered with at least four inches of concrete.

(4) Where it be desired to utilize the space under the sidewalk for basement purposes, the top of any such storage tank shall be at least four feet below the basement floor, and a brick or concrete wall not less than twelve inches in thickness shall be constructed around such storage tanks, extending from the bottom thereof up to the basement floor; the space between the top of any such tank and the basement floor shall be covered solidly with earth, and the whole thereof covered with concrete flooring.

(5) Where two or more such tanks be installed there shall be a brick or concrete dividing wall not less than twelve inches thick between all such tanks.

(6) No such tank shall be connected to another so that gasoline can flow from one to the other.

(7) No such tank shall be covered with earth until an inspection shall have been made by the City Inspector of Buildings.

(8) All such tanks stored in the basement under the sidewalks shall be placed close to the retaining wall of the street.

(9) One such storage tank may be installed for private garage on private property with the consent of the City Inspector of Buildings, provided such tanks shall be not closer than twenty-five feet to any building, and covered with at least four feet of earth.

Sec. 12. Pumps: All such storage tanks shall be connected with an automatic closing valve pump, which may be located inside the building or structure not below the first floor; all pumps shall be placed above the top of such tanks; no gravity, syphon or pressure system shall be used for taking gasoline from any storage tank.

Sec. 13. Pipes: All pipes shall lead from the top of all such tanks.

(1) All piping must be galvanized and put together with litharge and glycerine.

(2) A vent pipe of not less than one inch diameter shall be connected with all such storage tanks, extending up outside the building or structure, and shall be capped with a return bend, covered with a fine mesh brass wire netting.

(3) A separate filling pipe shall be connected with each tank, extending up through the sidewalk at curb line, and tapped with water-tight screw pipe.

Sec. 14. Awnings: All awnings hereafter erected shall be elevated at least eight feet from the lowest part thereof above the top of the sidewalk, provided that a vertical hanging border not to exceed twelve inches in width will be permissible, and shall not project over the sidewalk to exceed three-fourths of the width thereof. They shall be supported without posts, by an iron framework attached firmly to the building so as to leave the sidewalk wholly unobstructed thereby.

Canvas covering shall not be used on any stationary awning. Stationary awnings shall have metal or other incombustible covering and shall be constructed to support a live load of not less than twenty pounds per square foot.

Temporary carriage entrance awnings may be constructed over sidewalks as protection to the entrance to hotels, theaters, etc., provided such awnings be constructed of metal framework. Such entrance awnings shall be the width of the entrance protected thereby, and shall extend over the entire width of the sidewalk in front of the same, the lowest part of any such awning shall be at least eight feet above the sidewalk level.

Sec. 15. Repealed by Ordinance 305.

Sec. 16. Billboards: No billboard or signboard shall be erected, placed or maintained upon or above the roof of any building or structure within the limits of the City of Phoenix, and it shall be unlawful for any person, firm, association or corporation to attach or maintain any billboard or signboard to or upon the front, sides, or rear of any building, unless the same shall be placed flat against the building and safely secured and anchored thereto in a manner satisfactory to the City Inspector of Buildings.

The face of all billboards and signboards erected within the fire limits of the City of Phoenix shall not exceed twelve feet in height and the same shall be constructed of galvanized iron or some other equally incombustible material, except that the stringers, uprights and braces thereof may be of wood. All such billboards and signboards shall be securely anchored or fastened so as to be safe and substantial; provided that billboards or signboards not exceeding twelve feet square in area may be built of wood or other combustible material.

Sec. 17. Structures in Public Streets, Sidewalks and Alleys: No person shall dig or cause to be dug in, near or adjoining any street, sidewalk or alley in the City of Phoenix, any vault, area, coal hole, basement stairway, elevator shaft, cellar or other opening without first obtaining a permit from the City Inspector of Buildings so to do, and no such vaults, areas, coal bins, basements, stairways, elevator shafts, cellars or other openings dug

in, near or adjoining any public street, sidewalk or alley, shall be permitted or suffered, except as authorized by this Ordinance.

All vaults, coal holes, basements, elevator shafts, cellar or openings now dug in, near or adjoining any public street, sidewalk or alley, shall be at all times securely covered or protected with a grating or other covering or protection in such manner as to prevent persons, animals or vehicles from falling therein; nor shall any person keep, maintain or leave open any cellar door, grating, stairway or any vault, cellar, basement, area, coal hole, elevator shaft or other opening in, near or adjoining any public street, sidewalk or alley, nor shall any person suffer or allow any such cellar doors, grating, stairway in front of, or along the side of the house, building, lot or premises, owned or occupied by him, to remain in an insecure condition or out of repair.

The opening in any stairway occupying any portion of any public street, sidewalk or alley in the City of Phoenix shall not occupy more than ten feet of any such street, sidewalk or alley, measuring along the building line abutting on such street, sidewalk or alley, nor more than three feet measuring outward from the building line, and no such stairway shall be suffered or permitted to occupy any portion of any street, sidewalk or alley unless the same be enclosed with a substantial iron railing not less than three feet in height, securely fastened to the building; and no such a stairway shall be permitted or suffered to be placed in any such street, sidewalk or alley without a permit being first obtained from the City Inspector of Buildings.

All stairways now occupying a portion of any such street, sidewalk or alley shall, within ninety days from the passage and publication of this Ordinance, be made to conform to the provisions of this Ordinance.

Sec. 18. Boiler and Boiler Rooms: Boiler rooms inside any building or structure within either of the fire limits: All walls surrounding such boiler room inside any building or structure except private dwellings, shall be of masonry, concrete or terra cotta for the full height of the basement or story of such building or structure in which such boiler be located. Such walls, if constructed of brick or terra cotta, shall be not less than eight inches thick, and if constructed of concrete, shall be not less than six inches thick, and all exposed woodwork in such rooms shall be covered with metal lath and plastered, or if constructed of wood shall be covered with sheet metal. Every opening into such boiler room from the interior of such building or structure in which such boiler be located shall have a door or shutter constructed according to underwriters' specifications, and so arranged as to close automatically; and where oil be burned the furnace shall be set in and surrounded by a pit at least eight inches deep, and every doorway shall have a concrete sill rising not less than six inches from the floor. No wood shall be used in the construction of the floor of any boiler room. In buildings or structures of classes "B," "C" and "D" there

shall be a clear space above every boiler installed in any such boiler room of not less than five feet and above the breeching of not less than two feet; provided, however, that if any such boiler be of such capacity and constructed in such manner as to not develop or sustain more than ten pounds pressure per square inch, such clear space above such boiler shall be not less than four feet, and the clear space above the breeching shall be not less than two feet, and provided further, that a sheet of No. 18 iron shall be suspended not less than two inches from the ceiling over and one foot in every direction beyond said breeching.

Adjacent to the door of every such boiler room there shall be provided a standpipe not less than one and one-half inches in diameter, with at least twenty-five feet of standard fire hose not less than one and one-half inches in diameter attached thereto, and full pressure of water at all times in such standpipe. No boiler room shall be located or constructed directly or partially under any stairway of any building or structure.

Sec. 19. Boiler Rooms Outside of Fire Limits: Where a building or structure located outside of all fire limits be used for a boiler room only, such building or structure, except as herein otherwise provided, shall be constructed of masonry, hollow terra cotta blocks, concrete, corrugated iron or metal lath and plaster on wood frame. When masonry, terra cotta blocks or concrete be used in the construction of such building or structure, walls thereof shall be of the thickness specified by this Ordinance for walls constructed of such materials; such building or structure, if of frame construction, shall be not less than twenty feet from any other building or structure.

Sec. 20. Cooking, Heating, Ventilating and Gas-Burning Apparatus: Stoves and ranges: No kitchen range or stove in any building or structure within any of the fire limits shall be placed less than three feet from any woodwork or wooden lath and plaster partition, unless the woodwork and partition be properly protected by metal shields; in which case the distance shall be not less than eighteen inches.

Hotel and restaurant ranges shall be provided with a metal hood, placed at least nine inches below any wooden lath and plaster or wooden ceiling, and have an individual pipe outlet connected with a good brick flue. Such pipe shall be protected by at least one inch of asbestos, or its equivalent.

Combustible floors under coal ranges and similar appliances without legs, in which hot fires be maintained, shall be protected by a sheet of metal, or a one-eighth inch layer of asbestos building lumber, and shall be covered with not less than four inches of masonry set in cement mortar. Such masonry may consist of one course of four-inch hollow terra cotta or of two courses of brick and terra cotta, at least one of which shall be hollow, and be laid so as to preserve free circulation of air throughout the whole course. Concrete may be substituted for a course of solid brick if desired. The masonry work shall be covered with sheet metal of not less than number 26

gauge so arranged as not to obstruct the ventilating passage beneath. Such hearths shall extend at least twenty-four inches in front and twelve inches on the sides and back of any such range or similar heating appliance.

All coal stoves or ranges with legs shall be set in incombustible material which shall extend at least twelve inches in front.

Sec. 21. Heating Furnace and Appliances: All woodwork, wooden lath and plaster partitions or ceilings within four feet of the sides or back, or six feet from the front or top of any heating boiler, furnace, bakery, oven, coffee roaster, fire-heated candy kettle, laundry stove or other similar appliance shall be covered with metal to a heighth of at least four feet above the floor. This covering shall extend the full length, breadth and heighth of the boiler, furnace, or heating appliance, and to at least five feet beyond. Provided, however, such protection may be by metal shields, and in such case such metal shields shall be loosely attached, thus preserving an air space behind them. In no case shall such combustible construction be permitted within two feet of the sides, top or back of such heating appliance, or within five feet in front of same.

No furnace, boiler, range or other heating appliance shall be placed nearer than eighteen inches from any ceiling or wall furred with wood.

Heating boilers shall be encased on sides and top by an incombustible protective covering not less than one and one-half inches thick.

Sec. 22. Use of Liquid Fuel: Where any liquid fuel be used under any furnace, such furnace shall be in a masonry pit eight inches below the surrounding floor level and such pit shall be at least two inches larger on all sides than the furnace.

Sec. 23. Furnace Pipes: All concealed wall pipes, register boxes and fittings shall be completely covered with two thicknesses of eight-pound asbestos paper securely cemented to the pipe, and no heated air under any condition shall be circulated through a wooden vent flue or any wooden construction, but shall be carried in metal pipes or other fireproof construction.

Sec. 24. Protection of Steam Pipes: Steam-heating pipes shall not be placed within two inches of any timber or woodwork, unless protected by metal or asbestos, when the distance may be decreased to not less than one inch. Where such pipes pass through floor, ceiling or lath and plaster, or wooden partitions, the same shall be surrounded by metal tubes passing entirely through such floors, ceilings or partitions, with a clear space of two inches on all sides of such steam pipes, and all such steam pipes shall be so sheathed when concealed.

Pipes used for conveying live steam under high pressure shall in no case be brought within eight inches of any woodwork, unless protected by a fireproof pipe covering at least one inch thick, when the distance may be decreased to not less than two inches.

Sec. 25. Gas Installation: Every gas heater used or intended to be used for heating water shall be connected with a vent or combustion pipe leading to the outside of the building in which any such heater be installed, and shall be provided with a vent or combustion pipe of an internal area equal to the internal area of the vent pipe outlet on such heater, provided that where vents are not subjected to intense heat the same may be carried to a ventilated place underneath the roof. Such vents shall not terminate within thirty inches of any woodwork, and shall be provided with a substantial spark arrester. For each additional heater vent pipe outlet connected to the main vent pipe the area of the main vent pipe shall equal the combined areas of the heater vent pipe outlets connected to such main vent pipe. All vent pipes shall be of galvanized iron (except as herein otherwise provided) and shall be provided with a galvanized iron sleeve around all exposed places. Such sleeve shall extend the full length of the connected portion of such vent pipe, and shall be constructed in such manner that there shall be a clear air space of not less than one-half inch all around between such vent pipe and such sleeve. The interior or surface of such sleeve, if within one inch of vent pipe, shall be covered with three thicknesses of asbestos paper; or such vents may be constructed of brick and be of the same size and general construction as specified elsewhere in this Ordinance for smoke flues, provided, however, that where the size of vents be not required to be more than three inches in internal diameter, then such vent piping may be constructed of good terra cotta pipe having ball joints securely connected together and otherwise in accordance with the Ordinance of the City of Phoenix.

No gas heater used or intended to be used for heating water shall be concealed in any compartment or closet unless such closet or compartment be of fireproof or fire-resisting construction. Where fireproof construction be used, masonry, concrete or other fireproof material of a character satisfactory to the City Inspector of Buildings shall be used. Where fire-resisting construction be used, all sides of the enclosure, including the inside surface of the door, the floor and the ceiling thereof, shall be lined with at least three-ply asbestos paper, covered with galvanized iron. In every such compartment or closet where such heater be installed there shall be provided an air inlet independent of door or window, and such air inlet shall be located in or near the floor, and the air outlet through the ceiling or contiguous thereto. The minimum area of such air inlets and air outlets shall be thirty-six square inches.

In every building or structure hereafter erected, suitable provision shall be made for the installation of gas meters. The location of such meters shall be readily accessible from the exterior of the building. Meters may be located underneath first floor joists if there be a clear space of at least eighteen inches under such joists. When meters are so placed and there be no basement, an opening at least twelve inches by twenty-four inches shall be left

on the wall or foundation for the insertion of meters. When meters cannot be placed underneath floor joists, the same may be located on the exterior of the building, provided a suitable shelter be built therefor before it is installed.

Sec. 26. Any person, firm, association or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than $300 or by imprisonment in the City Jail for a period of not more than six months, or by both such fine and imprisonment.

Ordinance Number 322, old series, of the City of Phoenix, together with all amendments thereof, is hereby repealed, and in addition thereto all other Ordinances and parts of Ordinances in conflict herewith, and only to the extent that the same are in conflict herewith, are hereby repealed; provided, however, that such repeal or repeals shall not prevent the prosecution and punishment of any person, firm, association or corporation for any act or omission in violation of any Ordinance or part of Ordinance which may be repealed thereby, and shall not affect any prosecution or action in any court for violation of any Ordinance or part of Ordinance repealed hereby; but the right of the city to institute and maintain civil or criminal proceedings, or both, for any act, omission, neglect or violation of any such Ordinance or part of Ordinance repealed hereby, shall continue and remain in force, as if this Ordinance has not been passed.

Sec. 27. Whereas, the protection of life, health and property within the City of Phoenix requires that buildings and structures erected or maintained within the City of Phoenix shall be constructed and maintained in such a manner as not to endanger health, life or limb or person, and so as not to endanger property within the limits of the City of Phoenix; and,

WHEREAS, there are now no adequate or sufficient regulations concerning and regulating the construction and maintenance of buildings and structures within the City of Phoenix and prescribing the terms and conditions upon and under which buildings and structures shall be erected and maintained, so as to properly and adequately safeguard and protect property and the lives, health and limbs of persons within the City of Phoenix, and therefore it is urgently necessary that such adequate regulation and provision be immediately made therefor, and it is therefore necessary that this Ordinance shall become immediately effective;

Now, therefore, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage by the commission and approval by the mayor, and posting and publication as required by the city charter, and is hereby exempted from the referendum provision of the Constitution and Laws of the State of Arizona and of the City Charter.

Passed by the Commission of the City of Phoenix this 29th day of January, 1916.

Approved this 29th day of January, 1916.

GEORGE U. YOUNG,
Mayor.

Attest:
FRANK THOMAS, City Clerk.

ORDINANCE NO. 116.

An Ordinance amending Section 7, Part II, of Ordinance Number 113, entitled "An Ordinance defining the powers and duties of the City Inspector of Buildings, prescribing and regulating the manner, methods and mode of constructing, altering, repairing and moving of buildings and structures, within the City of Phoenix, providing for the issuance and revocation of building permits, and providing for the condemnation of buildings and other structures within the City of Phoenix whenever dangerous to property, life or limb, with an emergency clause," and passed by the City Commission of the City of Phoenix and approved by the Mayor on the 29th day of January, 1916, and with an emergency clause.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. Section 7, of Part 2, of Ordinance Number 113, passed by the Commission of the City of Phoenix and approved by the Mayor on the 29th day of January, 1916, and entitled:

"An Ordinance defining the powers and duties of the City Inspector of Buildings, prescribing and regulating the manner, methods and mode of constructing, altering, repairing and moving of buildings and structures within the City of Phoenix, providing for the issuance and revocation of building permits, and providing for the condemnation of buildings and other structures within the City of Phoenix, whenever dangerous to property, life or limb, with an emergency clause," is hereby amended to read as follows, to-wit:

Sec. 7. "No building or other structure not permitted to be built in the fire limits by this Ordinance, as such fire limits now or hereafter may be established, shall be moved within such fire limits, but such building or structure may be moved through or without the fire limits, provided, however, that wherever there has heretofore been or hereafter shall be lawfully erected in the City of Phoenix a building or structure which, owing to changes in the building Ordinances of the City, or the changes in the fire limits of the city, could not thereafter be so lawfully erected or constructed, such building or structure may be moved to any other location upon the same lot or lots within such fire limits on which it is now located, by first securing a permit from the City Inspector of Buildings so to do as herein provided, and the said City Inspector of Buildings shall not issue any such permit, unless and until the owner of such building or

structure in the fire limits of the city shall have first obtained the written consent of the owners of the property immediately adjoining the lot or lots on which any such building or structure is located, or if such owner is unable to secure such written consent of the owners of the property immediately adjoining such lot or lots, then has applied to the Commission of the City of Phoenix for such permission, and upon good cause shown, has received from the City Commission such permission so to remove the same."

All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Sec. 2. WHEREAS, there was passed and approved on the 29th day of January, 1916, a new building Ordinance for the City of Phoenix, being Ordinance Number 113; and,

WHEREAS, it appears that in the passage and approval of the same by inadvertence the provisions of Section 7, Part 2 thereof, were too narrow and restricted to properly care for and govern cases where buildings have been lawfully erected upon property, and later the fire limits have been extended to cover and include such property, and thereby the rights of the owners of such property and buildings have been jeopardized and infringed and their use and control over the same impaired, and thereby a hardship imposed upon such owners, and therefore it is necessary that the provisions of said Section 7, Part 2 of such Ordinance No. 113 be modified for such cases; and,

WHEREAS, the said Ordinance No. 113 has not yet been published and therefore is not yet in effect, and it is highly desirable that the whole of said Ordinance, including the said Section 7 as amended by this Ordinance, shall become operative and effective at one and the same time, and it is therefore urgently necessary for the immediate protection of the public peace, health and safety, that this Ordinance shall become immediately operative and effective.

Now, therefore, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage by the Commission and approval by the Mayor, and is hereby exempted from the referendum provisions of the Statutes of Arizona and of the City Charter.

Passed by the Commission of the City of Phoenix this 3rd day of February, 1916.

Approved February 3rd, 1916.

GEORGE U. YOUNG,
Mayor.

Attest:
FRANK THOMAS, City Clerk.

ORDINANCE NO. 154

An Ordinance amending Section 9, of Part V, of Ordinance No. 113, and amending Section 2, of Part IX, and Section 5, of Part IX, of Ordinance No. 113.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. Amended by Ordinance 305.

Sec. 2. That Section 2, of Part IX, of said Ordinance No. 113, be and the same is hereby amended so as to read as follows:

"Sec. 2. Construction: In buildings and structures of class 'C' bearing partitions in the upper two stories shall have studs not less than two by four inches, and the bearing studs of all stories below the third story shall be not less than two by six inches. All studs and joints shall be bridged and fire-stopped as hereinbefore provided for buildings and structures of class 'B.'

"In buildings and structures of class 'C' more than two stories in height, in which the upper stories are divided in whole or in part into rooms, the under side of the second floor joists and soffits of all stairs shall be metal lathed and plastered; and all joists and studs below said second floor shall be similarly protected.

"Provided, however, that in buildings and structures of class 'C' erected outside of the Special and General Fire Limits, the provisions of this section shall not apply, except that in such buildings and structures all halls and corridors on the first and second stories and the soffits of all stairs shall be plastered on metal lath.

"In all buildings and structures of class 'C' the ceiling of every cellar or basement, the joists of which are of wood, shall be lathed with metal lath and plastered.

"In all buildings and structures of class 'C' construction ceilings may be finished with stamped metal secured with 6d nails, provided that the joists and girders shall be protected by at least two layers of asbestos-felt between such metal ceilings and the woodwork; or ceilings may be lathed with wood lath and plastered."

Sec. 3. That Section 5, of Part IX, of said Ordinance No. 113, be and the same is hereby amended so as to read as follows:

"Sec. 5. Interior Non-Bearing Partitions: Interior non-bearing partitions shall be constructed as herein provided for the construction of interior non-bearing partitions in buildings and structures of class 'B,' provided that the use of wood lath is permitted."

Passed by the Commission of the City of Phoenix, this 20th day of September, 1916.

Approved this 20th day of September, 1916.

GEO. N. MacBEAN,
Vice-Chairman.

Attest:

FRANK THOMAS, City Clerk.

ORDINANCE NO. 177

An Ordinance empowering the City Inspector of Buildings to grant temporary permits to use completed portions of hotel buildings under construction or repair, pending the construction and installation of fire escapes.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. That the City Inspector of Buildings is hereby authorized and directed to grant temporary permits to the owners or lessees of hotel buildings now in the course of construction or repair to occupy and use such parts thereof as may be ready for occupancy and use, provided that such portions of said buildings so to be occupied be provided with fire escapes, or such owners or lessees have arranged for and are proceeding to equip said portions of said buildings so to be occupied and used with such fire escapes as may be required under the provisions of Ordinance No. 113, and provided further that such owners or lessees shall have otherwise complied with the provisions of said ordinance in so far as said buildings may have been completed or said repairs have been finished.

Sec. 2. WHEREAS, the hotel accommodations of the City of Phoenix are inadequate to care for the traveling public, resulting in much discomfort and inconvenience to visitors and loss to the City through the driving away of tourists and others who might otherwise visit the City, and

WHEREAS, it is highly desirable in the interest of the health, comfort and safety of the people of Phoenix that this ordinance shall become operative and effective at once,

Now, therefore, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage and is hereby exempted from the referendum provisions of the Statutes of Arizona and of the City Charter.

Passed by the Commission of the City of Phoenix this 7th day of February, 1917.

Approved this 7th day of February, 1917.

PETER CORPSTEIN,
Mayor.

Attest:
FRANK THOMAS, City Clerk.

ORDINANCE NO. 197

An Ordinance amending Section 1 of Ordinance No. 107, New Series of the City of Phoenix.

Be it ordained by the Commission of the City of Phoenix, as follows:

That Section 1 of Ordinance No. 107 be and the same is hereby amended to read as follows:

Section 1. That all that portion of the City of Phoenix within the following described boundaries, to-wit: Commencing at the center line of Third Street at the intersection of the center line of the said Third Street with the center line of Jefferson Street, thence north along the center line of Third Street to the intersection of the center line of Third Street with the center line of Adams Street, thence west along the center line of Adams Street to the intersection of the center line of Adams Street with the center line of Second Street, thence north along the center line of Second Street to the intersection of the center

line of Second Street with the center line of the alley between Monroe and Adams Street, thence west along the center line of said alley between Monroe and Adams Streets to the intersection of the center line of said alley with the center line of First Street, thence north along the center line of First Street to the intersection of the center line of First Street with the center line of Roosevelt Street thence west along the center line of Roosevelt Street to the intersection of the center line of Roosevelt Street with the center line of First Avenue, thence south along the center line of First Avenue to the intersection of the center line of First Avenue with the center line of Van Buren Street, thence west along the center line of Van Buren Street to the intersection of the center line of Van Buren Street with the center line of Second Avenue, thence south along the center line of Second Avenue to the intersection of the center line of Second Avenue with the center line of Monroe Street, thence west along the center line of Monroe Street to the intersection of the center line of Monroe Street with the center line of Third Avenue, thence south along the center line of Third Avenue to the intersection of the center line of Third Avenue with the center line of Adams Street, thence west along the center line of Adams Street to the intersection of the center line of Adams Street with the center line of Fourth Avenue, thence south along the center line of Fourth Avenue to the intersection of the center line of Fourth Avenue with the center line of Jefferson Street, thence east along the center line of Jefferson Street to the intersection of the center line of Jefferson Street with the center line of Second Avenue, thence south along the center line of Second Avenue to the intersection of the center line of Second Avenue with the center line of Madison Street, thence east along the center line of Madison Street to the intersection of the center line of Madison Street with the center line of First Street, thence north along the center line of First Street to the intersection of the center line of First Street with the center line of Jefferson Street thence east along the center line of Jefferson Street to the intersection of the center line of Jefferson Street with the center line of Third Street being the place of beginning shall be and constitute the Special Fire Limits District of the City of Phoenix.

Sec. 2. WHEREAS, the immediate operation of this ordinance is necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, and this ordinance shall be in full force from and after its passage by the Commission and approval by the Mayor, and is hereby exempt from the referendum provision of the City Charter.

Passed by the Commission of the City of Phoenix, this 10th day of September, 1917.

Approved 10th of September, 1917.

JAMES A JONES,
Vice-Chairman.

Attest:

FRANK THOMAS, City Clerk.

ORDINANCE NO. 198

An Ordinance amending Section 7, of Part 1, of Ordinance No. 113, New Series, of the City of Phoenix.

Be it ordained by the Commission of the City of Phoenix, as follows:

That Section 7 of Part 1 of Ordinance No. 113, New Series, of the City of Phoenix, be amended so as to read as follows:

Section 1. Discretionary Powers of the Inspector: The City Inspector of Buildings shall have power to determine all questions relating to the mode and manner of construction or materials used in the erection, alteration or repair of any building or structure provided for in this ordinance, and to make any such erection, alteration or repairs conform to the true intent and meaning of the several provisions thereof. He shall have discretionary power to dispense with the strict enforcement of the provisions of this ordinance upon application therefor, in writing, in all cases of alterations or repairs of old buildings, or the use of party walls belonging to different owners, when the same cannot be taken down and when there are practical difficulties in the way of carrying out the strict letter of this ordinance, so that the spirit of the ordinance may be complied with, the public safety secured, and substantial justice done. But no such deviation shall be allowed except the same be in writing and a record thereof made and kept by the said City Inspector of Buildings and a permit issued to the parties applying for same. He shall have further power to modify the provisions of this ordinance with respect to one-story private dwellings located within the fire limits in the following particulars:

(a) Exterior walls may be constructed of masonry eight inches thick or of metal studs with metal lath and cement plaster.

(b) Fire walls may be omitted.

Sec. 2. WHEREAS, the immediate operation of this ordinance is necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, and this ordinance shall be in full force from and after its passage by the Commission and approval by the Mayor, and is hereby exempt from the referendum provision of the City Charter.

Passed by the Commission of the City of Phoenix, this 10th day of September, 1917.

Approved this 10th day of September, 1917.

JAMES A. JONES,
Vice-Chairman.

Attest:
FRANK THOMAS, City Clerk.

ORDINANCE NO. 199

An Ordinance amending Sub-Section "B" and Sub-Section "D" of Section 1 of Ordinance No. 42, New Series, of the City of Phoenix.

Be it ordained by the Commission of the City of Phoenix, as follows:

That Sub-section "B" and Sub-section "D" of Section 1 of Ordinance No. 42, New Series, of the City of Phoenix, be amended so as to read as follows:

(B) Section 1. One-Story Sheds, Confined in the Rear Half of the Property, not abutting on a street and not nearer than twenty feet to any other building or structure.

Such sheds must not be over fifteen feet in height to the highest point of the roof. The posts, plates, rafters, and general framework of such sheds may be of wood. If sides or roof are covered, such covering must be of iron or other incombustible material approved by the City Inspector of Buildings. The use of wood sheathing, siding or ceiling, is prohibited. Sheds must have no interior finish, such as wainscoting, ceiling and the like. Such sheds shall be used solely as outhouses, workshops or for similar purposes, it being the intent of this ordinance to prohibit the use of such sheds as dwellings, stores, restaurants, or for conducting any other business not ordinarily conducted in a shed. A wooden fence shall not be used to form the back or sides of such sheds. If such sheds are entirely enclosed they may be built with an area not to exceed two hundred and fifty square feet in the Special Fire Limits, and not to exceed five hundred square feet in the General Fire Limits. If such sheds are open on one or more sides, including the long side, they may be built with a floor area not to exceed five hundred square feet in the Special Limits only. In the General Fire Limits such sheds, with at least three sides open may exceed five hundred square feet in area and shall not be confined to the rear half of the lot.

(D) Screened Sleeping Rooms: Subject to the approval of the City Inspector of Buildings, screened enclosures to be used for sleeping purposes only may be erected within the Fire Limits, provided such structures do not exceed six hundred square feet in area and twelve feet in height, and do not, in the opinion of the City Inspector of Buildings, constitute an undue fire hazard. If the roof is covered with canvas, the entire framework of the structure must be of metal. If covered with corrugated iron or other material approved by the City Inspector of Buildings, such structures may be built with substantial wood framing.

Sec. 2. WHEREAS, the immediate operation of this ordinance is necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, and this ordinance shall be in full force from and after its passage by the Commission and approval by the Mayor, and is hereby exempt from the referendum provision of the City Charter.

Passed by the Commission of the City of Phoenix, this 10th day of September, 1917.

JAMES A. JONES,
Vice-Chairman.

Attest:

FRANK THOMAS, City Clerk.

ORDINANCE NO. 207

An Ordinance amending Section 8, of Part 1, of Ordinance No. 113.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. That Section 8, of Part 1, of Ordinance No. 113, be and the same is hereby amended so as to read as follows:

"Sec. 8. Appeal to Arbitration: In any case where discretionary powers are by this ordinance given to the City Inspector of Buildings, at the option of the party complaining, an appeal to the arbitration shall be allowed to such party from the decision of the City Inspector of Buildings, as follows, to-wit:

"Persons wishing to take such an appeal shall do so within, but not later than, five days after written notice of the decision or order of the City Inspector of Buildings has been given.

"Requests for arbitration shall be in writing, and shall state the object of the proposed arbitration and the name of the person who is to represent the appellant as arbitrator. The City Inspector of Buildings shall thereupon state to the appellant the cost of such arbitration and such appellant shall, within twenty-four hours from the time of filing the original request for arbitration, deposit with the City Inspector of Buildings the sum of money required for defraying the expenses of the same, which sum shall in each case be fixed by said City Inspector of Buildings in proportion to the difficulty and importance of the case, but in no case shall be more than the cost of similar service in the course of ordinary business of private individuals or corporations. As soon as such sum of money shall have been deposited with him, the City Inspector of Buildings shall appoint an arbitrator to represent the City, and the two arbitrators thus appointed shall, if they cannot agree, select a third arbitrator. The arbitrators shall, after investigating the matter in person, make their decision in writing in regard to the case. A majority report of the arbitrators shall be final and binding upon the appellant as well as upon the City.

"The arbitrators shall, before entering upon the discharge of their duties, be placed under oath to the effect that they are unprejudiced as to the matter of the controversy, and have no interest, pecuniary or otherwise, in the result thereof and that they will faithfully discharge the duties of their position.

"The arbitrators shall have the power to call witnesses and place them under oath, and their decision or award shall be rendered in duplicate in writing, one to the City Inspector of Buildings and one to the appellant.

"The fee deposited with the City Inspector of Buildings shall be paid by the City Inspector of Buildings to the arbitrators upon the rendering of their report, and shall be in full of all costs incident to the arbitration.

"Should the report of the arbitrators be in favor of the appellant or a compromise, said appellant shall be re-

imbursed from the general fund of the City of Phoenix in an amount not exceeding the amount of fee deposited by him."

Provided, that whenever the City Inspector of Buildings shall deem any matter or matters in controversy, from which an appeal may be taken as hereinbefore provided, of sufficient importance to justify a resort to arbitration, he may, with the consent of the City Manager, accede to a request for such arbitration after the time has expired for the taking of such appeal, in which event such arbitration shall be had as near as may be in the same manner and with like effect as hereinbefore provided.

Sec. 2. WHEREAS, it appears that important alterations and repairs have been ordered in a number of the theatres of the City by the City Inspector of Buildings, the necessity and reasonableness of which have been drawn in controversy, and which are proper matters to be submitted to arbitration, as hereinbefore provided, and whereas, the safety and welfare of the public require that such arbitration shall be had as speedily as possible to the end that such of said orders of said City Inspector of Buildings as may be found necessary or proper may be speedily put into effect an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage by the City Commission and approval by the Mayor, and it is hereby exempt from the referendum provisions of the City Charter.

Passed by the Commission of the City of Phoenix this 2nd day of January, 1918.

Approved this 2nd day of January, 1918.

JAMES A. JONES,
Vice-Chairman.

Attest:
FRANK THOMAS, City Clerk.

ORDINANCE NO. 226

An Ordinance amending Section 7, of Part 11, of Ordinance No. 113, New Series, of the City of Phoenix.

Be it ordained by the Commission of the City of Phoenix, as follows:

That Section 7, Part 11, of Ordinance No. 113 of the City of Phoenix be, and the same is hereby amended to read as follows:

"Sec. 7. Exposure and Courts: The walls containing the main entrance to any theater or public assembly hall shall abut on a street. The lobby or passageway leading from the main entrance to the main auditorium doors shall not be longer than fifty feet nor more than three times its width, unless it be enclosed with unpierced fireproof ceiling and floor and with an unpierced division wall on each side. Every theatre or private assembly hall seating not more than three hundred persons shall also have the rear or one side wall abutting on the street, alley or open court not less than five feet in unobstructed width.

"Every theater seating more than three hundred persons shall have at least three walls abutting on streets, alleys or open courts. The width of every such open court shall be at least seven feet if the total seating capacity is not over 1000 persons and shall be increased at the rate of one foot per 500 persons additional. But if the auditorium be not more than 60 feet long, and each aisle leads in a straight line to an exit at the rear, then no side court will be required.

"Every such court shall lead to a thoroughfare, either directly or through a passageway of equal width, not less than eight feet in height, and having unpierced division walls. No such court or passageway shall be used for storage or any other purpose whatsoever, except for egress and ingress.

"Provided that, in buildings used for motion picture shows and having no stage, the exits and courts above required may be replaced by equivalent exits and courts at the rear, if consistent with the adequate distribution of the entire entrance and exit facilities."

Passed by the Commission of the City of Phoenix this 12th day of June, 1918.

Approved this 12th day of June, 1918.

C. H. DUNLAP,
Vice-Chairman.

Attest:

FRANK THOMAS, City Clerk.

ORDINANCE NO. 244

An Ordinance amending Section 1, Part XI, of Ordinance No. 113, New Series, of the City of Phoenix.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. That Section 1 of Part XI of Ordinance No. 113 be and the same is hereby amended so as to read as follows:

"Section 1. Garages: All buildings and structures hereafter erected and all buildings and structures altered or changed, so as to be occupied as public garages, for the purpose of storing or housing automobiles, shall be of Class A, B, or C construction; the flooring of the first floor thereof shall be of concrete.

"No part of any building or structure used as a hotel, apartment house, rooming house or lodging house shall be used as a public garage for the purpose of storing or housing automobiles, unless the part of the building used as a public garage for the purpose of storing or housing automobiles be separated from the remainder of the building by tight unpierced fire walls and approved fire resistive floors.

"All gasoline stored in tanks outside the walls of any buildings or structures and under the sidewalk, shall be in tanks approved by the National Board of Fire Underwriters; no one tank shall contain more than 300 gallons of gasoline. Not more than four tanks of gasoline, in the

aggregate, shall be allowed to be stored in any one private garage. Any such storage tank shall only be installed by and with the written consent of the City Inspector of Buildings."

Sec. 2. All ordinances and parts of ordinances in conflict with the provisions of this ordinance, or any section or part thereof, are hereby repealed.

Sec. 3. This ordinance shall be in force and effect thirty days after its passage by the City Commission, approval by the Mayor and publication and posting as required by the City Charter.

Passed by the Commission of the City of Phoenix, this 5th day of February, 1919.

Approved this 5th day of February, 1919.

PETER CORPSTEIN,
Mayor.

Attest:

FRANK THOMAS, City Clerk.

I hereby certify that the above and foregoing Ordinance No. 244 was passed by the Commission of the City of Phoenix at a meeting held February 5, 1919, and that a quorum was present thereat; that said Ordinance was duly published in the Arizona Republican, the official newspaper of said City, and posted on the bulletin board at the entrance to the City Hall, as required by law.

(Published February 6, 1919.)

ORDINANCE NO. 255

An Ordinance prohibiting the erection of buildings or structures for the purpose of a store building, lunch counter, soft drink stand, automobile service station, garage or repair shop, wash rack, corral, sanitarium, sanatorium, or for any manufactory, occupation or trade which may be offensive to the inhabitants in the vicinity, in residence districts in which two-thirds of the buildings are used for residential purposes, without first obtaining the written consent of two-thirds of the owners of all the property improved or used for residential purposes within a distance of 500 feet from the proposed building or structure, and requiring such consent to be filed with the City Building Inspector before a permit shall be issued.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. No building or structure for the purpose of a store building, lunch counter, restaurant, soft drink stand, or for an automobile service station, garage or repair shop, wash rack, corral, or for a sanitarium or sanatorium, or for any manufactory, occupation or trade which may be offensve to the inhabitants residing in the vicinity, shall be erected in any residence district within the city in which two-thirds of the buildings within a distance of 500 feet from the proposed building or structure are used for residence purposes, without the written consent of the owners of two-thirds of all the property improved

or used for residence purposes within said distance of 500 feet from the proposed building or structure.

Such consent, together with the plans and specifications for the proposed building or structure, shall be filed with the City Inspector of Buildings before a building permit for the proposed building or structure shall be issued.

Passed by the Commission of the City of Phoenix, this 23rd day of April, 1919.

PETER CORPSTEIN,
Mayor.

Attest:
FRANK THOMAS, City Clerk.

ORDINANCE NO. 305

An Ordinance amending Section 1 of Ordinance No. 154, New Series, of the City of Phoenix, repealing Section 9 of Part V of Ordinance No. 113, and Section 15 of Part XII of Ordinance No. 113, New Series, of the City of Phoenix.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. That Section 1 of ordinance numbered 154, New Series, of the City of Phoenix, be and the same is hereby amended to read as follows:

"Thickness of Exterior Walls of Masonry Buildings: Every exterior bearing wall of any masonry building or structure shall be built to conform to the following schedule, except as otherwise provided for in this ordinance. Thickness given in inches:

Schedule No. 1
Dwelling Houses

Stories—	1	2	3	4	5	6	7	8	9	10
1	8	....	....	....	....	....	....	....	....	....
2	12	8	....	....	....	....	....	....	....	....
3	12	12	8	....	....	....	....	....	....	....
4	16	12	12	8	....	....	....	....	....	....
5	16	16	16	12	8	....	....	....	....	....
6	16	16	16	12	12	8	....	....	....	....
7	20	16	16	16	12	12	8	....	....	....
8	20	20	20	16	16	12	12	8	....	....
9	20	20	20	16	16	16	12	12	8	....
10	24	20	20	20	16	16	16	12	12	8

Schedule No. 2
Business and Warehouse

Stories—	1	2	3	4	5	6	7	8	9	10
1	12	....	....	....	....	....	....	....	....	....
2	12	12	....	....	....	....	....	....	....	....
3	16	12	12	....	....	....	....	....	....	....
4	16	16	12	12	....	....	....	....	....	....
5	20	16	16	12	12	....	....	....	....	....
6	24	20	20	16	16	12	....	....	....	....
7	24	24	20	20	16	16	12	....	....	....
8	28	24	24	20	20	16	16	12	....	....
9	28	28	24	24	20	20	16	16	12	....
10	32	28	28	24	24	20	20	16	16	12

"Provided, however, that residences erected within either of the fire limits shall, if one story in height, be four inches greater in thickness than schedule, and if over one story the top shall not be less than twelve inches in thickness; also any building, if one story in height and of a floor area not to exceed two hundred and fifty square feet, in the special fire limits, and five hundred square feet in the general fire limits, the exterior wall may be eight inches in thickness.

"And further provided, that in any building erected outside the fire limits, of the business or warehouse class, the top story may be four inches less than Schedule 2."

Sec. 2. That Section 9 of Part V of ordinance numbered 113, New Series, of the City of Phoenix, and Section 15 of Part XII of ordinance numbered 113, New Series, of the City of Phoenix, be and the same are hereby repealed.

Sec. 3. WHEREAS, it is necessary to the public peace, health and safety of the City of Phoenix that this Ordinance take immediate effect, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage by the Commission, posting and publication as provided by law.

Passed by the Commission of the City of Phoenix, this 24th day of September, 1919.

Approved this 24th day of September, 1919.

C. W. BARNETT,
Vice-Chairman.

Attest:
FRANK THOMAS, City Clerk.

ORDINANCE NO. 413

Amended by Ordinance 472

ORDINANCE NO. 440

An Ordinance prohibiting the erection of tents, tent-houses and similar structures within the City of Phoenix, providing a penalty, with an emergency clause.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. It shall be unlawful for any person to erect within the corporate limits of the City of Phoenix, any tent, tent-house or similar structure, or to use the same for dwelling, sleeping or storage purposes.

Sec. 2. Any person violating the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine not to exceed Twenty-five ($25 00) Dollars or by imprisonment.

Sec. 3. WHEREAS, there is no adequate provision for the restriction of dangerous and inflammable structures in the City of Phoenix; and

WHEREAS, it is necessary to the public peace, health and safety that such restrictions become immediately operative,

Now, therefore, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage by the Commission, approval by the Mayor and posting and publication as by law required.

Passed by the Commission of the City of Phoenix, this 15th day of December, 1920.

Approved this 15th day of December, 1920.

WILLIS H. PLUNKETT,
Mayor.

Attest:

FRANK THOMAS, City Clerk.

ORDINANCE NO. 443

An Ordinance regulating the business of dry cleaning and providing for the storage of gasoline, naptha, benzine, benzol and other volatile oils used in such business in the City of Phoenix, Arizona.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. Definitions: The term "gasoline," "naptha," "benzine," or "benzol," whenever used herein, shall mean any product of petroleum or any hydrocarbon liquid that will flash or emit inflammable vapor below the temperature of one hundred and ten (110) degrees Fahrenheit.

(a) "Approved" shall mean approved by the City Inspector of Buildings and the Chief of the Fire Department.

(b) "The business of dry cleaning" shall mean any building or premises where more than one (1) gallon of gasoline, naptha, benzine, benzol or other volatile oils is kept or stored to be used for cleaning or renovating any clothing or article of wearing apparel or fabric of any kind.

Sec. 2. It shall be unlawful for any person, firm or corporation to engage in or carry on within the City of Phoenix the business of dry cleaning in which gasoline, naptha, benzine, benzol or other volatile oils are used to clean or renovate any clothing or articles of wearing apparel, or any fabric of any kind, without first obtaining a license, as hereinafter provided, for each dry cleaning establishment proposed to be conducted by such person, firm or corporation.

Sec. 3. Application for such license shall be made in writing to the City Manager of the City of Phoenix and shall contain the name of the applicants, if an individual or partnership, and the names of the principal officers, if a corporation; the location at which it is desired or intended to carry on such business and a brief description of the building and surroundings where such business is to be located.

Every such application shall be approved by the Building Inspector and Chief of the Fire Department, of the City of Phoenix, before a license shall be issued. If it

shall appear to the City Manager from the application so filed and approved that the premises in which the applicant purposes to carry on or conduct a dry cleaning business conforms to the requirements of this Ordinance, he shall grant the same, whereupon the City Assessor and ex-officio City Collector shall thereupon issue to such applicant a license, authorizing such applicant to engage in or carry on the business of dry cleaning at the place designated in the application.

Sec. 4. Every building used or intended to be used for the purpose of conducting or carrying on the business of dry cleaning, as defined in this Ordinance, shall be constructed and equipped according to the following specifications:

Every such building shall be built of brick, stone, or concrete, with no basement, and shall not exceed one story in height. The floor of such building shall not be higher than the surface of the ground surrounding such building and shall be so laid that there shall be no space underneath the same. The floor shall be of concrete construction. The supports in cleaning room shall be of mill construction or steel construction, and the roof of sheet iron, steel or fireproof material.

Every such building shall be detached from all other buildings or shall be separated therefrom by a fire wall. The walls of such buildings shall be not less than eight (8) inches thick and shall have vent holes at the floor not less than thirty (30) square inches in area, and not more than six (6) feet apart; said vent holes shall be protected by fine screen wire on the inside of such walls and by screen of large mesh on the outside of such walls. All windows in cleaning room shall have metal shutters.

Such dry cleaning room shall be further ventilated by means of an exhaust fan of sufficient capacity to change the air in the room every three minutes, and shall be kept in operation at all times during working hours. Such exhaust fan shall be located at or near the floor level in the wall farthest away from the vent holes in outside wall. All doors in such building shall be fire doors.

Every dry cleaning plant equipped with a steam boiler of sufficient capacity to admit of flooding the dry cleaning room with steam in case of fire shall be equipped with a line of two (2) inch pipe leading from the boiler, and having down spouts directly over the washers and extractors. The valves operating such lines of pipe shall be in every case placed outside of the cleaning room. The boiler used for generating steam for such plant shall be in all cases located in a separate building or separated therefrom by firewalls, and so situated that the line of travel for gases between boiler and the nearest opening into the dry cleaning room shall be not less than twenty (20) feet, and whenever electrical power is used, the electric motor furnishing such power shall be located outside of cleaning room. If a dry room tumbler or dry room is used, it must be placed in a separate room or building from the cleaning room.

In every dry cleaning plant not equipped with a

steam boiler of sufficient capacity to admit of flooding the dry cleaning room with steam in case of fire, there shall be located at convenient points in the room, where they will be readily accessible, metal pails, of not less than three (3) gallon capacity, filled with dry sand, three pails for each one thousand (1000) square feet of floor area or fraction thereof; but no building to have less than five (5) of said pails of sand.

Every dry cleaning room shall be lighted by incandescent lamps protected by vapor tight outer globes and controlled by outside switches. No open light or flame of any kind whatsoever shall be allowed or used.

Sec. 5. Tanks for the storage of any one or more of the oils or fluids mentioned in Section 1 of this Ordinance must be placed outside of the building used for such dry cleaning establishment, and must be of steel not less than twelve (12) gauge. The top of the tank must be buried at least four (4) feet below the surface of the ground. All tanks shall have a vent pipe to run from the top of the tank to a height of at least fifteen (15) feet. The tank vent pipe shall terminate in a tee; pumps for the removal of the contents of any such tanks may be placed inside the building. All gasoline used in such buildings shall be conveyed to and from the washers through closed metal pipe. No open troughs shall be permitted. There shall be no open piping or connection whereby any of the oils or fluids mentioned in this Ordinance may flow from the cleaning room into any public, or private sewer, drain or pit.

Sec. 6. It shall be unlawful for any person, firm or corporation to carry on or conduct the business of dry cleaning, as hereby defined, in any tenement house or building, any portion of which is used as a sleeping apartment or dwelling place. No person shall be permitted to sleep in any dry cleaning room.

Sec. 7. All dry cleaning washings shall be carried on in closed machines, which shall be fluid tight. Washers shall be grounded by at least No. 10 copper wire.

Sec. 8. It shall be the duty of the Fire Chief of the City of Phoenix to inspect each dry cleaning establishment situated within the City of Phoenix at least once every thirty (30) days during the fiscal year. The Fire Chief is hereby given authority to enter upon the premises occupied or used by such establishment, and to have each and every one of the machines, apparatus, piping, tanks, receptacles, and material used in connection with the said establishment inspected, and to enforce the requirements and regulations set forth in this Ordinance relative to the handling, storage and care of the same, and he shall have authority to demand the compliance with the requirements of this Ordinance in connection with the conduct of said business or the handling of any material, apparatus, fixtures or other property used in connection with such establishment, and shall also report to the City Manager the demands or requests made by him on such establishment for the carrying into effect of the requirements of this Ordinance.

If, after such investigation and inspection by the Fire Chief, the proprietor or manager of such establishment shall not, within five (5) days after notification by the Fire Chief of what should be done in order to comply with the requirements of this Ordinance by such establishment, comply with the directions and requests of the Fire Chief, the Fire Chief shall report such delinquency to the City Manager, who may thereupon order the cancellation of the license herein provided for.

Sec. 9. It shall be unlawful for any person to ignite any match, pipe, cigar or cigarette in any clothes cleaning establishment or to carry or introduce therein any open flame or glowing coals. The proprietor or manager of each and every clothes cleaning establishment shall display in each room thereof, in a conspicuous place, a sign in letters not less than two inches in height consisting of the following legend:

"No Smoking in This Room: Smoking Forbidden
By Ordinance of the City of Phoenix."

Sec. 10. Any person violating any of the provisions of this Ordinance or failing to comply with all reasonable orders of the Chief of the Fire Department given under the authority vested in him by this Ordinance, or commencing or carrying on the business of cleaning clothes or other fabrous material without having first obtained a license therefor, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not to exceed Three Hundred ($300.00) Dollars, or by imprisonment in the City Jail for a period not to exceed One Hundred Eighty (180) Days, or by both such fine and imprisonment.

Sec. 11. The provisions of this Ordinance shall take effect and be in force from and after the first day of July, 1921.

Passed by the Commission of the City of Phoenix this 29th day of December, 1920.

Approved this 29th day of December, 1920.

WILLIS H. PLUNKETT,
Mayor.

Attest:

FRANK THOMAS, City Clerk.

ORDINANCE NO. 446

An Ordinance prohibiting motion picture film exchanges within the special or general fire limits of the city and providing for the regulation of the keeping, storing and handling of such films within the city.

Be it ordained by the Commission of the City of Phoenix as follows:

Section 1. It shall be unlawful for any person, firm, association or corporation to keep, maintain or operate within either the special or general fire limits of the City any motion picture film exchange or other place where more than twenty thousand feet of motion picture reels of film shall be kept, stored or handled.

Sec. 2. It shall be unlawful for any person, firm,

association or corporation to keep or store more than twenty thousand feet of motion picture reels of film at any one time in any place within the City where, by the provisions of Section 1 hereof, such keeping or storage is permitted without first applying for and obtaining a permit as hereinafter provided.

Sec. 3. The City Building Inspector shall, with the approval of the City Manager, adopt regulations governing the keeping, storage and handling of motion picture films within the City by persons, firms, associations or corporations who may, under the terms of this Ordinance, keep, store or handle such films. Such regulations shall be such as have been adopted by the National Board of Fire Underwriters, except as the same may be modified in view of local conditions.

No person, firm, association or corporation shall keep or store more than twenty thousand feet of motion picture films at any one place within the City, where, by the provisions of Section 1 hereof, such storage is permitted, without obtaining from the City Building Inspector a permit for such keeping or storage of such films, and such Building Inspector shall, upon being satisfied that such keeping or storage shall be in accordance with the regulations governing such keeping and storage adopted as aforesaid, issue his permit therefor. Such permit shall be in force and effect only so long as the holder thereof shall comply with such regulations, and shall be revoked by the Building Inspector in case of the violation of any such regulations.

It shall be the duty of every person, firm, association or corporation within the general or special limits of the City keeping, storing or handling motion picture films and who are permitted herein to so keep, store or handle the same without a permit therefor, whenever the same are not being used in connection with their exhibition, to keep the reels containing such films in individual tin cans or boxes of galvanized iron. The open ends of such cans or metal boxes shall be covered with tight fitting covers.

Sec. 4. Any person, firm, association or corporation who shall violate any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than One Hundred Dollars or by imprisonment in the City Jail for a period of not more than thirty days or by both such fine and imprisonment.

Sec. 5. WHEREAS, it is necessary to the immediate preservation of the peace, health and safety of the City of Phoenix and the citizens and inhabitants thereof that the business of keeping and maintaining of films be regulated in the interest of fire protection,

Now, therefore, an emergency is hereby declared to exist and this Ordinance shall be exempted from the referendum provisions of the City Charter and shall be in full force and effect from and after its passage by the

Commission, posting and publication as provided by the Charter of the City of Phoenix.

Passed by the Commission of the City of Phoenix this 19th day of January, 1921.

Approved: WILLIS H. PLUNKETT,
Attest: Mayor.
FRANK THOMAS, City Clerk.

ORDINANCE NO. 454

An Ordinance amending Ordinance No. 536, Section 5.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. That Section 5 of Ordinance 536 of the Common Council of the City of Phoenix be and the same hereby is amended to read as follows:

"Sec. 5. No sign illuminated by electricity shall be erected unless such sign is constructed in accordance with the requirements of the National Board of Fire Underwriters for the construction of all metal signs and in accordance with such other specifications as to detail of construction as may be prescribed from time to time by the Commission of the City of Phoenix or by the City Inspector of buildings by virtue of authority conferred upon him by law."

Passed by the Commission of the City of Phoenix this 23rd day of February, 1921.

Approved this 23d day of February, 1921.

WILLIS H. PLUNKETT,
Attest: Mayor.
FRANK THOMAS, City Clerk.

ORDINANCE NO. 472

An Ordinance amending Ordinance 413 of the City of Phoenix, entitled: "An Ordinance amending Paragraph 3 of Section 1 of Part XI of Ordinance No. 113."

Be it ordained by the Commission of the City of Phoenix as follows:

That Ordinance 413 of the City of Phoenix be amended to read as follows:

"All gasoline stored in tanks outside the walls of any buildings or structures shall be in tanks approved by the National Board of Fire Underwriters; no one tank shall contain more than five hundred (500) gallons of gasoline. Not more than four tanks of gasoline, in the aggregate, shall be allowed to be stored in any one private garage. Any such storage tank shall only be installed by and with the written consent of the City Building Inspector.

Passed by the Commission of the City of Phoenix this 4th day of May, 1921.

Approved. J. A. R. IRVINE,
Attest: Vice-Chairman.
Helen C. Fahey, Deputy City Clerk.

PART 2

PLUMBING AND GAS FITTING.

ORDINANCE NO. 519.

An Ordinance relating to the operation of the sewer system of the City of Phoenix.

The Common Council of Phoenix do ordain as follows:

Section 1. That for the better protection of the health of the inhabitants of the City of Phoenix, all that portion of the City of Phoenix now embraced within the district reached by the sewer system of said City, and all that portion of said City that may hereafter be reached by said sewer system, is hereby declared to be a Sanitary District, and all persons owning real property on streets and alleys in which there are sewers, and all persons owning real property on streets and alleys which can be served by sewers, shall abate all privies, cess-pools and open drains upon their property, and they shall connect all privies, cess-pools and open drains, with said sewer system at such time and in such manner as the Common Council may by resolution require, and all the expense of such connection shall be borne by the owner of said real property; a failure to abate all such privies, cess-pools and open drains at the time and in the manner required by said Common Council by resolution shall constitute a misdemeanor and shall be punishable as provided in Section 5 of this Ordinance. Provided, that nothing in this section shall be construed to permit any person to tap any pipe, lateral or main belonging to the City of Phoenix.

Sec. 2. That for the convenience and best administration of the sewer system of the City of Phoenix and its operation, it is hereby made the duty of the officers of the Water Department of said City, as provided for in Ordinance No. 400 of said City, to perform the same duties with respect to the operation, management and control of said sewer system as is required of them in the operation, management and control of the water works system of said City in so far as their duties prescribed in said Ordinance No. 400 are applicable to the best operation, management and control of said sewer system and in so far as their duties under said Ordinance No. 400 are not in conflict with the provisions of this Ordinance.

Sec. 3. It shall be, and it is hereby made unlawful for any person, firm, company or corporation to tap or cause to be tapped any service pipe connected with the sewer system of the City of Phoenix belonging to said City, or to connect their property to or with any such tap, but every such person, firm, company, or corporation desiring or that may be required to connect his, their or its property to the sewer system of said City shall first obtain a permit from the Plumbing Inspector of said City so to do, and it is hereby made the duty of said Plumbing Inspector, before issuing said permit, to inquire into the sanitary condition of all proposed connections with such sewer system for the purpose

of ascertaining whether or not same have been installed in a sanitary condition, and in the event that said Plumbing Inspector finds the same in an unsanitary condition or in such condition that the same would be unsanitary if connected to the sewer system of said City, to deny the permit until such time as applicant shall put his property in a condition that will be sanitary. Otherwise it shall be the duty of said Plumbing Inspector to issue said permit on application, and without charge, to each and every applicant for service connection where sewer system of the City is installed and ready for use. Upon the issuance of such permit by the Plumbing Inspector to any such person, firm, company or corporation, each and every applicant shall present same to the Superintendent of the Water Works System of the City of Phoenix, whose duty it shall be, among other things, to make or cause to be made, all taps of service connections. Said Superintendent shall keep a record of all connections made, the purpose for which same are to be used, together with the name of the owner of the property, his agent or representative. The fee for making such taps or connections shall be paid to the Superintendent before any such tap or connection shall be made.

The cost for making any tap or connection shall be as follows:

For each tap, including pipe to property line on alleys and to curb line on streets, $15.00.

Sec. 4. No rental charge of any kind shall be made to the users of the sewer system.

Sec. 5. Every person, firm, company or corporation who shall in any way interfere with the officers of the Water Department or Plumbing Inspector of the City of Phoenix in the discharge of their or his duties, either in the tapping of any sewer pipe, main or lateral belonging to said city or the laying and connecting of any such pipe, main or lateral, or who shall dig up, or cause to be dug up, any street or alley in the City of Phoenix for the purpose of connecting with the sewer system of the City of Phoenix without first obtaining a permit from the Superintendent of the Water Works System so to do, or who, having a permit so to do shall dig up any portion of any street or alley of the City of Phoenix for the purpose of connecting with the sewer system of said City, shall fail to replace the said street or alley in its original condition, under the supervision of said Superintendent, and as required by him, or who shall violate any of the provisions of this ordinance, shall be guilty of a misdemeanor and upon conviction thereof fined in a sum not less than Ten Dollars nor more than One Hundred Dollars, or by imprisonment in the City Jail for not less than Ten Days, nor more than One Hundred Days or by both such fine and imprisonment.

Sec. 6. All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Sec. 7. This Ordinance shall take effect and be in

force from and after its passage and publication as by law required.

Passed by the Common Council of Phoenix this 26th day of August, 1912.

LLOYD B. CHRISTY,
Mayor.

Attest:
FRANK THOMAS, City Recorder.

ORDINANCE NO. 118

An Ordinance requiring the examining and licensing of Journeyman Plumbers, the purchasing of bonds by and licensing of Master Plumbers and regulating plumbing and prescribing the condition under which the business and vocation of plumbing may be carried on in the City of Phoenix, and providing penalties for violation. Amending Ordinances Numbers 463, 592 and 551 (Old Series), with an emergency clause.

Section 1. (a) No person shall engage in the vocation of a journeyman plumber, or do or perform any act as a journeyman plumber on any plumbing or drainage system in the City of Phoenix, until such person shall have first been licensed as hereinafter provided for.

(b) There is hereby created a Board of Examiners to be known as the Plumbers' Examining Board, which Board shall, except as herein otherwise provided, consist of the City Engineer, City Inspector of Buildings, City Health Officer, one master plumber and one journeyman plumber. At any time the City Inspector of Buildings shall have a deputy or assistant, whose duties shall include the inspection of plumbing; such deputy or assistant shall become a member of the Plumbers' Examining Board in the place of said City Inspector of Buildings. The master plumber and journeyman plumber members of the Board shall be appointed annually by the Commission of the City of Phoenix at its first regular meeting in the month of June of each year, or as soon thereafter as may be convenient, and the members of the Board so appointed shall serve until their successors are appointed and qualified. There shall be no fees charged by said Plumbers' Examining Board, and the members thereof shall serve without compensation.

(c) Upon the first Monday after the appointment of the appointive members of said Board the Board shall meet in the office of the City Inspector of Buildings in the City Hall, and shall organize by electing one member thereof its Secretary, who shall keep a record of its proceedings, and proper books and filing devices for the keeping of such records shall be provided by the City Manager. The master plumber member of the Board shall be its Chairman and shall preside over all meetings thereof. A Vice-Chairman, who shall act in the absence of the Chairman, shall be elected from among the members of the Board. Examination of applicants for plumbing licenses shall be held on the first and third Saturdays of each month; provided, however, that examinations may

be held at other dates than those fixed whenever the Board deems such examinations advisable. All examinations shall be held in some suitable room in the City Hall to be designated by the City Manager, and all examinations shall be fair and without discrimination, and shall relate exclusively to the business and vocation of plumbing, and membership and non-membership of the applicant in any association whatsoever shall not be inquired into.

(d) Amended by Ordinance 162.

(e) In the event of the work of any journeyman plumber so licensed falling below the standard which shall be fixed and determined in advance by the Board of Examiners, such journeyman plumber shall be subject to re-examination and his license suspended, and it shall be unlawful for him, pending such re-examination and his reinstatement, to do or perform any plumbing work in the City of Phoenix.

In event of his failure on such re-examination to satisfy the said Examining Board of his fitness to engage in or follow the vocation of journeyman plumber, the same shall be so certified by the Chairman of the Board to the City Collector, and he shall be precluded from doing or performing any work as a journeyman plumber in or about any plumbing or house drainage system in the City of Phoenix, provided, however, that such person may take other examinations as in the case of an original examination, touching his fitness to engage in such work, but no such other examination shall be taken within three months of the last examination taken by him.

(f) Every person desiring to engage in the business of plumbing as a master plumber shall first file with the City Collector his application for a license to engage in such business. Such application shall contain the full name of the applicant, the name of the concern under which he proposes to conduct such business, his place of residence, the place at which such business is to be conducted, and his last place of business or employment, as the case may be. But no license shall be issued until such applicant shall file with the City Collector his bond in the penal sum of One Thousand Dollars with two or more good and sufficient sureties, or by some reputable Surety Company maintaining an agency in the City of Phoenix, conditioned upon the faithful compliance with all the Ordinances of the City of Phoenix now in force or that may hereafter be adopted relative to the installation and repair of plumbing and plumbing systems, and that he will pay all fines, penalties and damages that may be lawfully assessed against him by reason of and resulting from his failure to comply with the Ordinances of the City of Phoenix relative to the installation and repair of plumbing and plumbing systems. No such bond shall be accepted by the City Collector until approved as to form by the City Attorney and as to sufficiency by the City Manager. Upon the approval and acceptance of such bond the City Collector shall issue to the applicant a license to carry on the business of plumbing as a master plumber in the City of Phoenix for one year from the date of the issuance of

such license, and all such licenses shall, upon the filing of the proper bond, be renewed at the expiration of the term thereof for a like period of one year. No such renewal shall be issued until the applicant shall have first filed with the City Collector a new bond in the manner, on the conditions, and in the amount hereinbefore specified.

(g) The term journeyman plumber as herein used shall be taken to mean any person not an apprentice or plumber's helper actively working at the trade of plumbing as the employee of some master plumber, person, firm, association or corporation, or of some person engaging such plumber for wage compensation.

The term master plumber as herein used shall be taken to mean any person, firm, association or corporation engaged in the business of plumbing as a contractor or owner of a stock of plumbers' goods and supplies, and employing journeyman plumbers.

In the event of any master plumber engaging actively in the vocation of a journeyman plumber, and performing the work incident to such vocation, such master plumber shall be termed to be also a journeyman plumber, and shall, in addition to furnishing a bond herein provided for to be given by master plumbers, take and satisfactorily pass the examination required to be taken by journeyman plumbers before doing or performing any such journeyman plumber work.

Sec. 2. Application for Permit. (a) No person shall construct or cause to be constructed, either as owner, agent or otherwise, or carry on, conduct or assume control of plumbing or house drainage affecting the sanitary condition of any house or building in the City of Phoenix, unless such person shall, before commencing such work, secure from the City Inspector of Buildings a permit so to do; provided, however, that it shall not be necessary to obtain a permit for repairs which are defined as follows: Leak in drain, soil, waste pipes and traps, or the replacing of old fixtures with new ones. Should any drain, soil, waste or vent pipe be or become bad or defective, so that it becomes necessary to remove and replace the same with sound material in any part or parts, a permit shall first be secured therefor and inspection made as herein provided.

(b) The City Inspector of Buildings shall have discretionary power to determine all questions relating to the mode and manner of or materials used in the alteration or repair of all plumbing in all buildings or other structures in the City of Phoenix as may be provided for in this or any other present or future Ordinance, and whenever there shall be practical difficulties interfering with the carrying out of the strict letter of this or any other Ordinance of the City of Phoenix relating to plumbing, the said City Inspector of Buildings shall have discretionary power and he is hereby so empowered and authorized, to require such repairs or alterations to be made in such manner as shall comply with the spirit of such ordinance, secure public safety and do substantial justice;

but no such deviation shall be allowed unless a full and complete record of the same be kept by said City Inspector of Buildings, and a special permit issued therefor.

Sec. 3. Inspection and Tests. (a) All plumbing fixtures and plumbing and drainage in place in any building in the city to which alterations or additions are desired to be made, may be altered or added to after inspection by and permission therefor had from the City Inspector of Buildings, who shall, within a reasonable time after request, make inspection of such plumbing fixtures, plumbing or drainage system desired to be altered or added to, and if found in a reasonably sanitary condition, and will not, when so altered, repaired or added to as contemplated, be a menace to health or public safety, shall issue a permit for such alterations or additions to be made or installed as a part of such system and the same shall be made under his direction. If the City Inspector of Buildings shall find conditions in such fixtures, plumbing or drainage system as in his opinion are a menace to health or public safety, he shall not allow the alteration or addition to be made unless, at the completion of the work, such objection will become removed and the entire system comply with the requirements of this Ordinance.

(b) All soil pipes, drain pipes, vent pipes, trap toilet, urinal, sink or other fixture or fixtures, fitting or fittings that now are or shall hereafter be laid or installed otherwise than in accordance with these regulations, or which, in the opinion of the City Inspector of Buildings, are bad or defective, shall, upon notice from the City Inspector of Buildings, be removed or repaired in the manner and within such time as may be determined and fixed by the City Inspector of Buildings.

(c) All work shall be subject to inspection, and as soon as such work be ready for inspection, the journeyman plumber or master plumber having the work in charge shall so notify the City Inspector of Buildings thereof. No plumbing shall be covered or concealed until it shall have been inspected by the City Inspector of Buildings or his deputy, and by the said Inspector approved. All roughing in tests shall be made with water and for such testing the iron extension of the soil pipe, outside the foundation of the house, shall be securely closed, as shall all branches, inlets and other openings of the work to be tested. The closing of joints and pipes shall be sufficiently tight and strong enough to withstand a column of water reaching the top of the highest vent pipe. The system shall then be filled with water to its top and so stand for not less than thirty minutes without perceptible leakage. If the water be lowered by leakage or any leakage discovered, the place or places of leakage shall be found and made tight by the one in charge and the work shall not be approved by the City Inspector of Buildings until the water shall so stand for such time to the top of the pipe without leakage or perceptible lowering. All joints shall be wiped clean and dry in order to permit a thorough inspection.

In all cases where the City Inspector of Buildings be not satisfied with the completed work he may call for final test. Such test shall be made with peppermint in the manner following: All of the drainage system and vent openings except traps shall be closed, and all traps filled with water. There shall then be poured into the system at the top of the highest vent, for the first and second stories of the building or structure a solution of two ounces of oil of peppermint to three gallons of hot water for each story above the second story. During such test all openings in the system shall be securely closed until the City Inspector of Buildings shall pronounce the entire system tight, perfect and free from leaks and other defects.

(d) The following fees shall be charged in all instances:

Each Permit	$1.00
Each Fixture	.20
Extra visits of City Inspector of Buildings caused by the failure to comply with the provisions of this Ordinance	1.00

No certificate of final approval and acceptance shall be issued by the City Inspector of Buildings to any person until all fees, together with all penalties that shall have been assessed against the work by reason of faulty construction be paid.

(e) In addition to the penalties and fees in this Ordinance provided for, double fee shall be charged and collected in each instance where plumbing work be commenced before issuance of permit.

Sec. 4. Sizes of Soil and Waste Pipes and General Provisions: (a) The term "house sewer" is applied to that part of the main drain or sewer extending from a point two feet outside of the outer wall of building to its connection with the public sewer.

(b) The term "house drain" is applied to that part of the main horizontal drain and its branches inside the walls of a building, and extending to and connecting with the house sewer.

(c) The term "soil pipe" is applied to any pipe receiving the discharge of one or more water closets, with or without other fixtures.

(d) The term "waste pipe" is applied to any pipe receiving the discharge of any fixture, except water closets.

(e) The term "vent pipe" is applied to any special pipe provided to ventilate the system of piping and to prevent trap siphonage and back pressure.

(f) Soil and waste pipe shall be of the following materials: Extra heavy cast iron pipe, standard cast iron pipe, extra light lead pipe, galvanized iron or steel pipe, or brass pipe.

(g) Amended by Ordinance 378.

(h) All joints in cast iron soil, waste or vent pipes, whether inside the building or otherwise, shall be made with pig lead and oakum and thoroughly caulked. No putty, rosin, candle grease or other foreign substance

shall be used in the joints. Cement work of any description is prohibited, except in house sewers.

(i) All house sewers shall be of first grade vitrified clay, cast iron or concrete pipe of not less than four inches internal diameter. All pipes shall be of uniform quality, both in texture as well as in density, and shall be capable of sustaining an internal hydrostatic pressure of at least fifteen pounds to the square inch for a period of five minutes without showing any water on the outside of the pipes. Drain pipes other than cast iron shall not be allowed under or in any building nor within two feet of the exterior wall of a building. Vitrified or concrete pipe shall not come within six inches of the surface of the ground throughout its entire course. The joining of each and every section of vitrified or concrete piping shall be completely and uniformly filled with one part Portland cement to two parts of sand and every joint thoroughly cleaned from the inside so as not to form any obstruction. The different sections shall be straight and symmetrical in form so that when laid in they shall be perfect on the bottom and sides, with a fall of not less than one-quarter of an inch per foot towards the public sewer, providing such fall can be obtained. The piping shall be perfectly watertight and shall not be covered or concealed in any way until it shall have been approved by the City Inspector of Buildings. All changes in direction shall be made with Y branches and one-eighth bends.

(j) Except as herein otherwise provided, no trap or any manner of obstruction to the free flow of air through the whole course of a drain or soil pipe shall be allowed.

(k) All soil or waste pipe and fittings in buildings not exceeding three stories in height may be of the grade known as standard cast iron pipe. In buildings over three stories in height the grade known as extra heavy cast iron pipe shall be used, provided, however, the Durham system, as hereinafter specified, may be used in either case.

(1) The term "extra heavy" shall be defined as having reference to cast iron pipe of the following weights per lineal foot:

2-inch	5¼ pounds
4-inch	13 pounds
5-inch	17 pounds
6-inch	20 pounds

(n) No safe waste from basin, bath, sink, water closet or other fixture shall connect with any soil pipe, waste pipe or sewer, but shall discharge into a water supplied sink.

(o) Cleanouts shall be placed at the end of each horizontal line of soil pipe. All cleanouts shall be accessible, either extended through the wall or kept back twelve inches from the wall. On straight runs of waste pipe of two feet or less it will not be required to use cleanouts. On straight runs of waste pipe over two feet, cleanouts must be used. Cleanouts shall be placed at the base of each stack of soil or waste pipe. In all changes of direction in horizontal soil or waste pipes, a cleanout is neces-

sary, and cleanouts shall be placed in such other places as the City Inspector of Buildings may deem them necessary. All cleanouts shall have brass screw ferrules of the same internal diameter as the soil or waste pipe which they serve. All changes of direction shall be made with full Y branches one-sixteenth, one-eighth, or one-sixth bends, or where cleanouts are not required, long sweep quarter bends may be used.

(p) Amended by Ordinance 234.

(q) Extra light lead pipe shall be at least of the following weights to the lineal foot:

1¼-inch	2½ pounds
1½-inch	3½ pounds
2-inch	4 pounds
4-inch	5 pounds

(r) Amended by Ordinance 234.

(s) Double hubs or double hub fittings or inverted joints shall not be allowed on soil or waste pipes below the water line; provided, however, that they may be used on vents.

(t) The term "water line" as herein used shall be defined as having reference to the highest fixture opening on any plumbing system.

(u) No heel outlet fitting shall be allowed to receive waste through the heel thereof, excepting where, under architectural conditions, the space is limited, and in which event it shall meet with the approval of the City Inspector of Buildings.

(v) No exhaust from any engine or blowoff from any boiler shall be connected with a house drain or house sewer.

(w) In all buildings the Durham System may be installed, providing such system be entirely Durham from the ground up. In no case shall the Durham System be used in the ground. The Durham System of piping shall apply to any system of galvanized, wrought iron or steel pipe and recessed fittings. The fittings shall be recessed sufficiently to allow for the thickness between the internal and external diameter of the pipe forming a shoulder so that the fitting when screwed on the pipe will make up to the shoulder in the fitting, thus forming one continuous bore for unobstructed flow of water.

Sec. 5. Traps. (a) Every toilet, sink, slop hopper, bath tub, floor drain, wash rack, and every tray, vessel or vessels connected with a drain pipe directly, except as herein otherwise specified, shall be separately, independently and effectively trapped and vented, and all fixtures indirectly connected to sewer shall be trapped.

(b) All traps shall be placed as near the fixture as possible, and in no case farther than two feet from the fixture which it serves.

(c) All trap screws shall be protected from sewer gas by the water seal of the trap.

(d) Amended by Ordinance 307.

(e) Amended by Ordinance 234.

(f) For dentist's chair, saloon bar, or counter work or basins in middle of floor, where not practical to vent, by consent of the City Inspector of Buildings, pot-traps may be used, not smaller than 4 inches by 9 inches. Where practical to trap and vent in the ordinary way, it shall be done, fixtures not to be more than three feet from fixture side of pot-traps, but the waste pipe and connections shall conform to the plumbing rules, the same as if vented.

(g) All traps shall be set true to their water seals.

(h) Except as herein otherwise provided, no more than one fixture shall waste into one trap

(i) Unless otherwise provided for, a running trap may be used in any plumbing or drainage system, and when so used it shall be placed on the house drain and on the sewer side of all connections. If placed outside the building or below the cellar floor it shall be accessible in a brick or wooden manhole not less than three feet square, and shall have two cleanouts, one on each side of trap, with brass screws cap and ferrules. A separate vent shall be connected on each side of all running traps. These vent pipes shall be of cast iron when in the ground and of the weights as specified in this Ordinance, and of not less than three inches internal diameter. The vent pipe on the sewer side of a running trap shall be carried up to at least six inches above the highest part of the main roof. The vent pipe on the house side of a running trap may terminate above the roof at any point not less than eight feet from any door, window, or air shaft.

Sec. 6. Vents. (a) No vent shall terminate directly below or within eight feet of any window, door or air shaft.

(b) All vents shall be taken off above the water seal of the trap served by such vent, except in the case of water closets, pedestal slop sinks and pedestal urinals.

(c) In no case shall the water seal of any trap be located more than two and one-half feet from the perpendicular vent which serves such trap.

(d) All vents shall be run on an angle of not less than 60 degrees where practical.

(e) Horizontal vent pipes shall have a rise of one-quarter inch per foot and be not over fifteen feet in length in the aggregate of horizontal portions thereof.

(f) Amended by Ordinance 234.

(g) Where galvanized vents connect by means of lead caulked joints into cast iron fittings of a greater diameter, the vent shall have the coupling screwed on before caulked to such pipe fittings.

(h) The term "branch vents" as used in this section shall be deemed to mean all the vent pipe located between the fixture served and the point where such branch vents join and intersect the main vertical vent or run through the roof to the outer air.

(i) All branch or special vents within a radius of twelve feet may converge into one pipe, or such vents may

be conducted into the main stack not less than two feet above the highest fixture in the system. The branch fittings shall be not less than three feet from the floor line.

(j) No flue of whatever kind shall be used as a sewer ventilator or to ventilate any trap, drain or waste pipe. Rainwater leaders or cellar drains shall not be connected with any soil pipe or waste pipe except by special permission from the City Inspector of Buildings.

(k) Vent branches, inverted Y's or plain T's may be used in openings left in vent pipes to revent fixtures. Cast screw fittings may be used on galvanized iron vent pipes.

(l) Revent pipes for fixtures shall not be less than the following sizes, and of the following materials (see Table No. 2):

TABLE NO. 2

Sizes of Vent Pipes. Extra Light Lead, Standard Cast Iron, Galvanized Iron or Brass

FIXTURES	Sizes of Vent Pipe and Number of Fixtures						
	1¼	1½	2	3	4	5	6
Closets	....	....	1-4	5-10	11-20	21-35	36- 50
Sand Traps	....	1	2-4	5-10	11-20	21-35	36- 50
Catch Basins	....	1	2-4	5-10	11-20	21-35	36- 50
Slop Sinks	....	1	2-4	5-10	11-20	21-35	36- 50
Bath Tubs	1	2	3-8	9-20	21-40	41-70	71-100
Floor Drains	1	2	3-8	9-20	21-40	41-70	71-100
Sitz Tubs	1	2	3-8	9-20	21-40	41-70	71-100
Kitchen Sinks	1	2	3-8	9-20	21-40	41-70	71-100
Urinals	1	2	3-8	9-20	21-40	41-70	71-100
Wash Trays	1	2	3-8	9-20	21-40	41-70	71-100
Wash Basins	1	2	3-8	9-20	21-40	41-70	71-100
Pantry Sinks	1	2	3-8	9-20	21-40	41-70	71-100
Drinking Fts.	1	2	3-8	9-20	21-40	41-70	71-100

(m) Lead vent pipe shall extend at least one foot from the outlet of the fixture which it serves. In all cases vent pipes shall be securely anchored and fastened to prevent sagging.

Sec. 7. Fixtures. (a) No water closet shall be put into or upon any property, house or building except those flushed by a tank of the capacity of not less than four gallons of water. All such tanks shall be set at least six feet from the floor where practical, except in case of "low down closets."

(b) Plunger closets and Philadelphia Hoppers are prohibited, but flushometers may be used. Front washout bowls or P trap closets may be used in outhouses, provided that the front or back washout closets now in use in the City of Phoenix may remain, but in no instance and under no circumstances shall such fixtures be permitted to be installed in new or repair work. When the water supply is not ample for the proper flushing of closets the City Inspector of Buildings may, at his option order the erection of a tank system into which water may flow or be pumped for the purpose of flushing such closets.

(c) Water closet compartments shall open into the open air or be ventilated by means of a window, air shaft or duct.

(d) All closet connections between the soil and the closet bowl shall be made with brass floor flanges soldered to lead soil pipe which shall be lead bend or lead corrugated stub, except in concrete construction, where iron connections may be used with sanitary connection to bowl.

(e) Waste pipe from refrigerators or other receptacles in which provisions are stored shall not be connected with a drain, soil pipe or other waste pipe directly connected to sewer, but shall discharge into open sink or dry well. In every case there shall be an open tray between the trap and the refrigerator.

(f) Where floor drains are used, the seal of trap shall be protected from evaporation in such manner as designated by the City Inspector of Buildings.

(g) All cast iron slop hoppers shall be connected to the sewer through a four-inch trap, but such hoppers shall not be required to be vented when the same are set in excess of eight feet from a building.

(h) Amended by Ordinance 234.

(i) All sinks in the kitchen of boarding houses, restaurants and hotels feeding more than twenty persons shall be provided with a suitable grease trap, and no grease trap shall be smaller than ten by ten inches.

(j) No fixture made of any absorbent material whatever shall be used in any plumbing work or system in the City of Phoenix.

(k) No building or other structure shall be used or occupied as a factory, laundry, tenement or lodging house, in which human beings reside, work or transact business, unless such building or structure be provided with a separate water closet for each sex, and whenever there shall be in excess of ten occupants, employees or residents, of each sex, or major fraction thereof, residing, working or transacting business in such building or structure, one additional closet for each such ten persons, or major portion thereof, of each sex, shall be provided.

Sec. 8. Arbitration. (a) Appeal to arbitration: In any case where discretionary powers are by this Ordinance given to the City Inspector of Buildings, at the option of the party complaining, an appeal to arbitration shall be allowed such party from the decision of the City Inspector of Buildings as follows, to-wit:

(b) Persons wishing to take such an appeal shall do so within, but not later than five days after written notice of the decision or order of the City Inspector of Buildings has been given.

(c) Requests for arbitration shall be in writing, and shall state the object of the proposed arbitration and the name of the person who is to represent the appellant as his arbitrator. The City Inspector of Buildings shall thereupon state to the appellant the cost of such arbitration and such appellant shall, within twenty-four hours from the

time of filing the original request for arbitration, deposit with the City Inspector of Buildings the sum of money required for defraying the expenses of the same, which sum shall in each case be fixed by the City Inspector of Buildings in proportion to the difficulty and importance of the case, but in no case shall be more than the cost of similar service in the course of ordinary business of private individuals or corporations. As soon as such sum of money shall have been deposited with him, the City Inspector of Buildings shall appoint an arbitrator to represent the city, and the two arbitrators thus appointed shall select the third arbitrator. The arbitrators shall, after investigating the matter in person, make their decision in writing in regard to the case. A majority report of the arbitrators shall, in the absence of fraud, be final and binding upon the appellant as well as upon the city.

(d) The arbitrators shall, before entering upon the discharge of their duties, be placed under oath to the effect that they are unprejudiced as to the matter of the controversy, and have no interest, pecuniary or otherwise, in the result thereof, and that they will faithfully discharge the duties of their positions.

(e) The arbitrators shall have the power to call witnesses and place them under oath, and their decision or award shall be rendered in duplicate in writing, one to the City Inspector of Buildings and one to the appellant.

(f) The fee deposited with the City Inspector of Buildings shall be paid by the City Inspector of Buildings to the arbitrators upon the rendering of their report, and shall be in full of all costs incident to the arbitration.

(g) Should the report of the arbitrators be in favor of the appellant or a compromise, said appellant shall be reimbursed from the general fund of the City of Phoenix in such amount not exceeding the amount of the fee deposited by him, as shall be fixed and determined by the arbitrators.

(h) The arbitrators herein provided for shall be entitled to the sum of six ($6.00) dollars for each day or fraction thereof of service as such arbitrators.

Sec. 9. Penalties. (a) Any person, firm, association or corporation violating any of the provisions of this Ordinance shall be declared guilty of a misdemeanor, and upon conviction thereof shall, for the first offense, be punished by a fine of not more than thirty dollars, or by imprisonment in the City Jail for a period of not more than thirty days. or by both such fine and imprisonment; for a second offense, by a fine of not more than one hundred dollars or by imprisonment in the City Jail for a period not to exceed ninety days, or by both such fine and imprisonment; for a third offense, in addition to the punishment hereinbefore last prescribed such person shall have his license revoked and it shall be unlawful for him to follow the business or vocation of plumbing in the City of Phoenix for the period of one year following such conviction, and each and every act in violation of this Ordinance in such business or vocation shall be a separate offense.

(b) It shall be unlawful for any master plumber or journeyman plumber or any other person installing plumbing to conceal any imperfection, either in work or material, or to cover or in any manner conceal any imperfections in any work or material used in any plumbing or do any act or thing tending to prevent the detection by the City Inspector of Buildings of any imperfections in any such work or material.

(c) Immediately upon the completion of any plumbing work notice shall be given to the City Inspector of Buildings that such work is ready for the final inspection. The failure upon the part of a master plumber to make application for the first or final inspection, or either thereof, and the failure to correct faults after notification, shall be deemed sufficient cause for the suspension of his license, and thereupon his license may be suspended for such period of time as the Board of Examiners may deem proper, not exceeding one year, and it shall be unlawful for any plumber to install or repair any plumbing system during the period of his suspension.

Sec. 10. The word person or persons as herein used shall extend to and include firms, partnerships, associations and corporations.

Sec. 11. Ordinance No. 389, entitled an Ordinance providing for the issuance of plumbing permits, for the inspection of plumbing, for the regulation of plumbing, for the manner of constructing plumbing works in the City of Phoenix, Arizona, and Ordinances Nos. 463, 592 and 551, Ordinances amendatory thereof, are hereby repealed.

Sec. 12. WHEREAS, the present Ordinance of the City of Phoenix, relative to the regulating of plumbing and the installation of plumbing and drainage systems in the City of Phoenix are vague, indefinite and uncertain, and do not properly regulate the business and vocation of plumbing; and,

WHEREAS, it is necessary to the immediate preservation of the peace, health and safety of the City of Phoenix and the citizens and inhabitants thereof that proper and adequate laws be adopted for the regulation of the business and vocation of plumbing;

Now, therefore, an emergency is hereby declared to exist and this Ordinance shall be exempted from the provisions of the referendum and shall be in full force and effect from and after its passage by the Commission and posting and publication as provided by the Charter of the City of Phoenix.

Passed by the Commission of the City of Phoenix this 2d day of March, 1916.

Approved this 2d day of March, 1916.

GEORGE U. YOUNG,
Mayor.

Attest:

FRANK THOMAS, City Clerk.

ORDINANCE NO. 162.

An Ordinance amending Subdivision D, of Section 1, of Ordinance No. 118, by adding thereto a provision permitting the licensing without examination of persons who have been engaged in the vocation of master or journeyman plumber for three years or more in the City of Phoenix.

Be it ordained by the Commission of the City of Phoenix, as follows:

That Subdivision D of Section 1, of Ordinance No. 118, be and the same is hereby amended so as to read as follows:

(d) Every person desiring to engage in the vocation of a journeyman plumber shall first file with the City Inspector of Buildings his application for a license to engage in such vocation. Such application shall contain the full name of the applicant, his place of residence, his last place of business or employment as the case may be, and shall thereafter present himself to the Board of Examiners for examination upon matters touching his fitness to engage in the vocation of a journeyman plumber. In event of such applicant having passed an examination satisfactory to the Board, its Chairman shall so certify to the City Collector. Upon the receipt by the said Collector of such certificates, he shall issue to the person or persons named in such certificates a license authorizing and permitting such person or persons to engage in or follow the vocation of journeyman plumber in the City of Phoenix.

Providing, that any person applying for a license to engage in the vocation of a journeyman plumber who shall furnish satisfactory proof that he has been actively engaged in said vocation of a journeyman plumber or master plumber within the City of Phoenix for more than three years immediately prior to the time when this Ordinance shall take effect, shall not be required to take such examination or to be re-examined as hereinafter provided for, but upon being furnished such proof, said Board of Examiners shall issue a certificate to such person reciting the fact that he has qualified as a journeyman plumber by exhibiting satisfactory proof of having been actively engaged in the vocation of journeyman plumber or master plumber in the City of Phoenix for said period of time prior to the taking effect of this Ordinance, and thereupon the City Collector shall issue to such person named in such certificate the license herein provided for.

Passed by the Commission of the City of Phoenix this 1st day of November, A. D. 1916.

Approved this 1st day of November, 1916.

PETER CORPSTEIN,
Mayor.

Attest:

FRANK THOMAS, City Clerk.

ORDINANCE NO. 234

An Ordinance amending Section 4, Paragraph (G); Section 4, Paragraph (P); Section 4, Paragraph (R);

Section 5, Paragraph (D); Section 5, Paragraph (E); Section 6, Paragraph (F); Section 6, Paragraph (I); of Ordinance No. 118.

Be it ordained by the City Commission of the City of Phoenix, as follows:

Section 1. Amended by Ordinance 378.

Sec. 2. That Section 4, Paragraph (p), of said Ordinance No. 118, New Series, be amended so as to read as follows:

(p) All connections between lead piping shall be wiped joints. Connections between soil, wrought iron pipe and lead shall be with approved brass ferrules or brass soldering nipples and wiped joints. Or Raymond ferrules may be used. Bolted or copper bit and cup of flush soldered joints are prohibited in all cases except on the house side of traps.

Sec. 3. That Section 4, Paragraph (r) of said Ordinance No. 118, New Series, be amended so as to read as follows:

(r) Sanitary T's shall not be allowed except in perpendicular stacks; sanitary T's and double sanitary T's and Y's of the division pattern allowing one vent for two fixtures, also double fittings with sanitary curves which fully protect the drainage discharge from one fixture discharging over into the discharge opening of the opposite fixture, with direct vents and full size drainage openings, shall be allowed. The center wastes at the junction of vents shall not be set below the water seal of the trap.

Tapped T's may be used only in conjunction with traps. Threads in tapped T's must be uniform, smooth and of standard size. Cast threads must be tapped out. Connections between lead traps and tapped T's shall be approved brass soldering nipples wiped to lead trap. Connections between brass and tapped T's shall be approved hexagon nut soldered to trap. In no other case, except on Durham System plumbing, shall tapped soil or waste fittings be allowed.

Sec. 4. That Section 5, Paragraph (e) of said Ordinance No. 118, New Series, be amended so as to read as follows:

(e) Drum traps of either lead, brass or cast iron may be used on all bath tubs and laundry traps; provided, however, three or less laundry trays may waste through one deep drum trap, provided such trap be properly vented. In all cases where drum traps are placed within 2½ feet from the line of circulation it will not be necessary to revent trap.

Sec. 6. That Section 6, Paragraph (f) of said Ordinance No. 118, be amended so as to read as follows:

(f) In every building having a water closet there shall be at least one four-inch stack running from the sewer to and through the roof. When there is but one closet such stack may vent such closet, provided the closet be not set at a greater distance than two and one-half feet from the stack. If set at a greater distance a two-inch vent shall be taken off and conducted through the roof to

the outer air or into the main stack. If there be more than one closet, each shall be vented, except the highest closet, provided such highest closet be not more than two and one-half feet from the stack. In such case the stack may vent the highest closet. When two or more one and one-half inch wastes from small fixtures on lower floors and properly vented with one and one-half inch pipe, enter a soil bend within eighteen inches of the closet opening, it shall not be necessary to again revent the bend with the two-inch vent hereinbefore required. Loop or circuit vents may be used for batteries of three or more closets. Such vents shall not be less than three inches in diameter, and if for more than six closets, they shall be of the same diameter as the soil pipe required for the number of closets. Fixtures shall not be more than three feet from the horizontal circuit or loop vented line.

Sec. 7. Amended by Ordinance 379.

Sec. 8. That Section 7, Paragraph (h) of said Ordinance No. 118, be amended so as to read as follows:

(h) All wash racks shall be connected to the sewer through a sand trap which shall be properly vented when within eight feet of a building, and shall conform to the plans on file in the office of the City Inspector of Buildings. Wash racks in private garages need not be vented.

WHEREAS, it is necessary to the immediate preservation of the peace, health and safety of the City of Phoenix and the citizens and inhabitants thereof that proper and adequate laws be adopted for the regulation of the business and vocation of plumbing;

Now, therefore, an emergency is hereby declared to exist and this Ordinance shall be exempted from the provisions of the referendum and shall be in full force and effect from and after its passage by the Commission and posting and publication as provided by the Charter of the City of Phoenix.

Approved.

Passed by the Commission of the City of Phoenix this 7th day of August, 1918.

PETER CORPSTEIN,
Mayor

Attest:
FRANK THOMAS, City Clerk.

ORDINANCE NO. 307

An Ordinance amending Subsection "D" of Section 5 of Ordinance No. 118, New Series, of the City of Phoenix, so as to provide for the use of drawn tubing traps.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. That Subsection (d) of Section 5 of Ordinance 118, New Series, of the City of Phoenix, be and the same is hereby amended to read as follows:

(d) In no case shall drawn tubing traps lighter than seventeen gauge be used, and no drawn tubing trap of

seventeen or heavier gauge shall be used or installed unless the same shall bear the manufacturer's stamp showing that they are of the required weight and thickness.

Sec. 2. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Passed by the Commission of the City of Phoenix this 15th day of October, 1919.

Approved this 15th day of October, 1919.

C. W. BARNETT,
Vice-Chairman.

Attest:
T. TREVILLIAN, Deputy City Clerk.

ORDINANCE NO. 378.

An Ordinance amending Subsection (g) of Section 4, of Ordinance No. 118, New Series, of the City of Phoenix.

Be it ordained by the Commission of the City of Phoenix, as follows:

That Subsection (g) of Section 4 of Ordinance No. 118, New Series, of the City of Phoenix, entitled:

> An Ordinance requiring the examining and licensing of journeymen plumbers, the purchasing of bonds by and licensing of master plumbers and regulating plumbing and prescribing the condition under which the business and vocation of plumbing may be carried on in the City of Phoenix, and providing penalties for violation. Amending Ordinances Numbers 463, 592 and 551 (Old Series), with an emergency clause.

be, and the same is hereby amended to read as follows:

(g) The proper size for waste pipes for the fixture shall not be less than the following sizes:

TABLE NO. 1.

Water Closets.

Diameter of Soil Pipes Vertical Stacks.	No of Water Closets Served.
4 in.	Not exceeding 35
5 in.	36-60
6 in.	61-100

Diameter of Soil Pipes Horizontal Runs.	Water Closets.
4 in.	Not exceeding 25
5 in.	26-40
6 in.	41-75

Diameter of Soil Pipe	Sand Traps—Special Detail in Inspector's Office.
4 in.	Not exceeding 20
5 in.	11-20
6 in.	21-35

Sizes of Waste Pipes for Fixtures with 1¼ Trap.

Number	Name of Fixture	Sizes of Waste.
1	Wash Basin—Pantry—Sink—Drinking Fountain, Etc.	1¼ in.
2-4	" " " " " " "	1½ in.
5-16	" " " " " " "	2 in.
17-30	" " " " " " "	2½ in.
31-50	" " " " " " "	3 in.
51-80	" " " " " " "	3½ in.
Over 80	" " " " " " "	4 in.

Size of Waste Pipes for Fixtures With 1½ in. Traps.

Number	Name of Fixture	Sizes of Waste
1-3	Sinks, Bath Tubs, Laundry Trays, Sitz Tubs, Shower Bath, Wall Outlet Urinals, Etc.	1½ in.
4-10	Do.	2 in.
11-15	Do.	2½ in.
16-25	Do.	3 in.
26-40	Do.	3½ in.
Over 40	Do.	4 in.

Size of Waste Pipes for Fixtures With 2 in. Traps

Number	Name of Fixture	Sizes of Waste
1-3	Slop Sinks and Urinal with Floor Outlet	2 in.
4-10	" " " " " " "	2½ in.
11-16	" " " " " " "	3 in.
17-35	" " " " " " "	4 in.

Number	Size of Pipe for Following Fixtures	
1	Soda Fountains and Bars	2 in.
2	" " " "	2½ in.
3	" " " "	3 in.

Limit of Length of Lead, Cast Iron, Wrought Iron Waste Pipe on Horizontal Runs.

No wrought iron, lead, cast iron used as a waste pipe shall exceed that specified in table.

Diameter in Inches	Length in Feet
1¼ in.	20 ft.
1½ in.	20 ft.
2 in.	40 ft.

In determining fixtures equivalent to one water closet, allow five small fixtures, such as sinks, wash basins, slop sinks, bath tubs, laundry trays, etc., excepting slop sinks with 3 in. traps which shall be the ratio of 3 to 1 (water closet).

Passed by the Commission of the City of Phoenix this 5th day of May, 1920.

Passed this 5th day of May, 1920.

WILLIS H. PLUNKETT,
Mayor.

Attest:
T. TREVILLIAN, Deputy City Clerk.

ORDINANCE NO. 379

An Ordinance amending Subsection (1) of Section 7, Ordinance No. 234, New Series, of the City of Phoenix.

Be it ordained by the Commission of the City of Phoenix, as follows:

That Subsection (1) of Section 7, of Ordinance No. 234, New Series, of the City of Phoenix, entitled:

An Ordinance amending
Section 4, Paragraph (G);
Section 4, Paragraph (P);
Section 4, Paragraph (R);
Section 5, Paragraph (D);
Section 5, Paragraph (E);
Section 6, Paragraph (F);
Section 6, Paragraph (L);
Of Ordinance No. 118

be, and the same is hereby amended to read as follows:

(1) Revent pipes for fixtures shall not be less than the following sizes and of the following materials:

Vent Table.

Inside Diameter of Vent Pipe	Number of Traps			Water Closets or Traps Not More Than 4 in. in Diameter	
1¼	4	2	1		
1½	8	4	2	1	
2	16	10	6	4	4
2½	24	18	9	6	7
3	48	36	18	16	12
3½	64	48	24	20	16
4	104	78	39	36	26
5	188	141	70	65	47
6	312	234	117	110	78
7	468	351	175	135	117
8	652	489	245	200	163

Drum traps listed according to the size of the outlets.

For traps larger than 4 in. in diameter the vent shall be half the diameter of the trap for 4 in. less traps.

Passed by the Commission of the City of Phoenix this 5th day of May, 1920.

Approved this 5th day of May, 1920.

WILLIS H. PLUNKETT,
Mayor.

Attest:
T. TREVILLIAN, Deputy City Clerk.

GAS FITTING ORDINANCES OF THE CITY OF PHOENIX.

ORDINANCE NO. 239

An Ordinance providing for the issuance of gas-fitting permits; for the inspection of same; for regulating gas fitting and manner of construction in the City of Phoenix.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. Permits and Fees: It shall be unlawful for any person, firm or corporation to commence or to do or cause to be done, or to construct or cause to be constructed, or to use or cause to be used, except for service pipes, meter and meter connections, any gas pipe, gas

fitting, fixtures or appliances, or to make any alterations or changes or additions to any gas pipe, gas fitting, fixtures or appliances in any building or structure or any portion thereof in the City of Phoenix, without first obtaining a permit from the City Inspector of Buildings so to do.

The following fees shall be charged:

For permit, including approval of work.....$0.50
For each outlet..... .10

Sec. 2. Inspection and Tests. All gas fitting work done under permit shall be subject to the inspection and tests hereinafter prescribed, and notice must be given to the City Inspector of Buildings by the person, firm or corporation doing such work or causing the same to be done, immediately after said work is ready for inspection.

The inspection of gas fitting work done under permit shall be three, viz.: A first and second inspection and a fixture inspection; except on unconcealed work, such as stove run or fuel run of pipe, then same shall be made at two inspections, second and fixture inspections.

The first inspection shall be made after all the piping authorized to be installed under the permit shall have been installed, and before any of such piping has been covered or concealed or any fixtures have been attached thereto.

The second inspection shall be made after the piping authorized to be installed under the permit is in place and has been covered or concealed. For second inspection all outlets shall be capped with iron caps and the system shall be tested with air to a pressure equal to a column of mercury 6 inches high and for such length of time as the inspector shall determine; only mercury gauge shall be used.

The fixture inspection shall be made after all gas fixtures and appliances have been installed and before gas has been used or furnished through or by means of such fixtures and appliances. If he shall deem it necessary, the City Inspector of Buildings may require a test by mercury gauge equal to 2 inches of mercury for five minutes on the entire system after all such gas fixtures and appliances shall have been installed.

Sec. 3. Approval: When upon examination by the City Inspector of Buildings it appears that any gas fitting work, fixtures or appliances are defective, either in construction or material, the same shall be altered or repaired to conform to the regulations set forth in this Ordinance.

When any gas piping, gas fitting, fixtures or appliances for the installation or alteration of which a permit has been issued shall be found on inspection to conform to the rules and regulations provided by this Ordinance, the City Inspector of Buildings shall issue a certificate of inspection certifying that such piping or fitting, fixtures or appliances have been inspected and found to comply with the terms of this Ordinance, but no such certificate shall be granted until such piping, fittings, fixtures or appliances, respectively, are found to conform to said rules and regulations. It shall be unlawful for any person,

firm or corporation to use any gas through or by means of any piping or fittings, fixtures or appliances in any building or to furnish or supply gas to be used through or by means of such pipes or fittings, fixtures or appliances, until the same shall have been inspected and approved by the City Inspector of Buildings and the certificate hereinbefore provided shall have been issued therefor.

Sec. 4. Defective Gas Installation: If the City Inspector of Buildings shall find any part of any gas pipe, gas fitting, fixtures or appliances in or about any building in the City of Phoenix to be not properly vented or in any other condition dangerous to life or property, he shall notify the owner, tenant or occupant of the building in which such gas pipe, gas fittings, fixtures or appliances are located, to have the defects repaired immediately, and to refrain from using gas by means of said defective pipe or fittings, fixtures or appliance until the same have been repaired or altered and rendered safe.

The City Inspector of Buildings shall have the right and power to cause the supply of gas to be shut off until the necessary repairs or alterations shall have been made.

The City Inspector of Buildings shall give written notice to the person, firm or corporation supplying gas to any such defective pipes or fittings, fixtures or appliances to cease the supply until the necessary repairs or alterations have been made, and it shall be unlawful for any person, firm or corporation to furnish gas for use in or by means of any defective gas pipe or fittings, fixtures or appliances after receiving such notice, until the necessary repairs or alterations have been made.

Before making any connection to supply gas to any building that has not already been supplied with gas prior to the taking effect of this Ordinance, the person, firm or corporation about to furnish gas thereto shall ascertain whether a certificate of inspection has been issued for the gas fitting or gas piping, fixtures or appliances to be supplied, and for that purpose may demand the production and exhibition of such certificate by the owner, tenant or occupant of the building in which such gas piping or gas fitting, fixtures or appliances are located before supplying gas therefor.

Sec. 5. Gas Piping: The following rules and regulations shall be deemed to be the standard for the construction and installation of gas piping and gas fitting work.

The minimum diameter of gas piping installed in any building, the number of lineal feet and the maximum number of burners allowed shall be in conformity with the following table:

Size of Pipe	Length Allowed	Burners, No. of
⅜-inch (Vertical only)	15 feet	2
½-inch	40 feet	8
¾-inch	80 feet	25
1- inch	100 feet	45
1¼-inch	150 feet	80

1½-inch	250 feet	250
2- inch	400 feet	500
2½-inch	600 feet	900

In estimating the number of burners allowed for gas piping, each outlet through the ceiling of stores, parlors, dining rooms, offices, public halls and rooms used for similar purposes, where it is intended that these outlets are to supply gas for illuminating purposes only, shall be deemed to be three (3) burners.

For each outlet in the ceilings of bedrooms, bathrooms, toilet rooms, public halls, pantries, porches, or bracket lights, where it is intended that these outlets are to supply gas for illuminating purposes only, allow one (1) burner.

To determine the number of burners for heating purposes, allow three (3) burners for each gas grate, gas log or gas-heating stove or appliance, combination boiler and water heater or non-automatic gas water heater outlet; ten (10) burners for each outlet for a cook stove or so-called hotplate.

To determine the number of burners for automatic or automatic thermal gas water heaters, allow:

8 burners for each ½-inch outlet.
25 burners for each ¾-inch outlet.
45 burners for each 1-inch outlet.
80 burners for each 1¼-inch outlet.
250 burners for each 1½-inch outlet.
500 burners for each 2-inch outlet.

The diameter of the supply pipe to every such automatic or automatic thermal gas water heater shall not be reduced in size from the meter to the inlet for the heater.

No such heater shall be connected to any gas pipe outlet smaller in diameter than the diameter of the inlet pipe on the heater.

All horizontal pipe shall be at least one-half (½) inch in diameter, except that in exposed work three-eighths (⅜) inch horizontal pipe for a single light may be run a distance not exceeding twenty (20) feet.

In concealed work, where practical, all center outlets or drops shall be bent in preference to drop pipes, with straps soldered thereto. No center light or drop shall be of a smaller diameter than one-half (½) inch. Bracket, fireplace and stove outlets shall be bent and have an offset or be provided with bracket elbows to prevent removal.

Gas grates and fireplace outlets must be at least two (2) inches clear of the finish and bottom of fire basket. No pipe smaller than three-quarters (¾) inch shall be run for cooking stoves, hotplates and instantaneous heaters. Drop pipes for center and bracket outlets shall not project through the finish or ceiling, wall or partition lines more than one (1) inch.

All gas pipes shall be well secured to the building and shall grade or incline toward the meter, and, wherever necessary, shall be provided with drip pipes so as to prevent any traps or depression where condensation would remain.

All pipe shall be laid, when practical, above joists or beams instead of beneath them. When running lines or branches across beams or joists, they must do so within 36 inches of the end of beams, and in no case shall the said pipes be let into the beams more than 2 inches in depth.

No gas piping shall be placed within 2 inches of any electric wire which is not protected by conduit, porcelain tubes, flexible loom, insulating joints or other approved methods. When electric wiring must be moved, altered or protected for installation of gas piping, such moving, altering or protecting must be done only by a bonded electrician.

Wherever drip pipes are used, the end of such drip pipe must be exposed and so arranged to be easy of access.

Gas piping shall not be filled with water for the detection of leaks, nor shall gasfitters' cement, sealing wax or any similar composition be used for the stopping of leaks.

No union joints shall be used in concealed places. All union joints shall be ground joints without gaskets.

Sec. 6. (a) Hose Connections Prohibited: No hose connection shall be used for conducting gas, and in place of hose connections in existing buildings rigid gas piping shall be installed, except in the following cases:

(1) Portable open flame room heaters may have flexible hose connections not over 5 feet in length to hose cock on service pipe.

(2) The City Inspector of Buildings may issue a special permit for the use of flexible connections in other cases when in his judgment such connections will not constitute an undue hazard.

(b) Vents: Every gas appliance which is provided with a vent outlet from the combustion chamber shall be carefully connected with a vent pipe, which shall extend to the outer air.

When it is impracticable, on account of the structural features in a building, to run such vent pipe to and through the roof of the building, then such vent pipe, at the discretion of the City Inspector of Buildings, may run to the exterior wall and run up at least four feet on the outside of such wall.

Every such vent pipe shall have an internal area equal to the internal area of the vent pipe outlet on such heater. For each additional vent pipe connected to the main vent pipe, the area of the main vent pipe shall be increased fifty (50) per cent of the area of the additional vent pipe or pipes connected thereto.

Every such vent pipe shall be constructed either of:

(1) Brick, in accordance with the provisions of the Building Ordinance for smoke flues; or

(2) Galvanized iron coated on the interior with a preservative approved by the City Inspector of Buildings. Every such vent pipe to have all joints soldered and to be constructed and installed in such a manner as to prevent all leakage of gas or fumes. Said vent to be enclosed

with a galvanized iron sleeve extending the full length of the concealed portion of such vent pipe, and so constructed with metal spacers that there shall be a clear air space of not less than one-quarter (¼) inch all around and between such vent pipe and sleeve, and the exterior surface of every such sleeve shall be covered with three (3) thicknesses of asbestos paper.

(3) Terra cotta or concrete, with joints securely cemented together, with ends which fit one into the other or fastened together by means of a galvanized iron sleeve fitted to such vent at each joint; or

(4) Iron screw pipe, enclosed with a galvanized iron sleeve, or with an iron screw pipe, extending the full length of the concealed portion of such vent pipe, and so constructed with metal spacers that there shall be a clear air space of not less than one-quarter (¼) inch all around and between the two pipes, and the exterior surface of every such outer pipe, or sleeve, shall be covered with three (3) thicknesses of asbestos paper.

Any such portion of such vent pipe which is not readily visible, and any portion of such vent pipe erected in the attic space, and any portion of such vent pipe which comes within three (3) inches of any wood or wood lath and plaster, shall, for the purpose of this ordinance, be deemed to be concealed.

Provided, however, every vent pipe or portion thereof which is installed in any part of any building other than the space below the first floor, or in the attic space, and which is not concealed and which does not come within three (3) inches of any wood or wooth lath and plaster, may be of copper, brass or galvanized iron, the joints of which shall be securely connected together.

(c) Gas Water Heaters: Every gas heater heretofore or hereinafter installed, which is used or intended to be used for heating water, shall be connected up to its gas supply with iron pipe of such size as elsewhere prescribed in this ordinance, and shall be connected to a vent pipe leading to and through the roof of the building in which such heater is installed.

No automatic gas heater shall be vented to any pipe, chimney or flue to which there is connected any appliance which burns fuel other than gas.

No gas heater used or intended to be used for heating water shall be installed or placed within six (6) inches of any wood lath and plaster, unless such wood or wood lath and plaster is protected by means of tile, brick, concrete, sheet iron or steel, or other similar incombustible materials. In no event shall such heater be installed within three (3) inches of any wall or partition.

No gas heater used or intended to be used for heating water shall be installed in any closet, offset or small alcove unless such closet, offset or alcove is of fireproof or fire-resisting construction. Where fireproof construction is used, it shall be either brick, tile, concrete or other hard fireproof material of a character satisfactory to the City Inspector of Buildings. Where fire-resisting construction is used, the inside of the closet, offset or al-

cove, including the inside surface of the door, if there be such door, and the floor and the ceiling thereof which is within twelve (12) inches of any part of the gas water heater, shall be either protected with metal lath and plaster or with three (3) thicknesses of asbestos paper covered with galvanized iron, or protected with similar fire-resisting material of a character satisfactory to the City Inspector of Buildings.

In every bathroom or closet where any such heater is installed there shall be provided an air inlet and an air outlet independent of door or windows, which shall be permanently open. The air inlet shall be located in or near the floor and the air outlet through the ceiling or in the wall contiguous thereto. The minimum area of such air inlet and air outlets shall be thirty-six (36) square inches.

(d) Gas Furnaces: Any gas appliance recessed in or attached to the wall, partition or floor of any building where such gas appliance is intended to be used for the heating of the building, may be installed other than as aforesaid, when such heating appliance is of a type constructed with a combustion chamber of iron, steel, or asbestos board not less than one-eighth (⅛) inch thick or a combination of these materials and enclosed with an outer jacket of similar materials, leaving an air space of at least one (1) inch all around the sides, top and bottom between the combustion chamber and the outer jacket and so installed in the wall, partition or floor that no woodwork will be nearer than one (1) inch to any part of such heating appliance; except iron flange on the front if installed in the wall or partition or the iron flange on the top thereof, if installed in the floor, and that the woodwork under or around such iron flange be protected with asbestos board not less than one-eighth of an inch in thickness, said asbestos board to be placed between such woodwork and the iron flange, and provided further, that all of the wood that comes within twelve (12) inches of any part of the gas burners in any such gas heating appliance, shall be protected with one-quarter (¼) inch asbestos or such one-quarter (¼) inch asbestos may be securely placed or fastened to the outer jacket of the appliance, except that the one-quarter (¼) inch asbestos may be omitted on any type of gas heating appliance which is constructed with a cast iron combustion chamber having not less than two air spaces between the combustion chamber and the outer jacket and having the outer jacket covered with asbestos paper of a weight of not less than twenty (20) pounds to the one hundred (100) square feet.

Every such gas appliance which is provided with a vent outlet from the combustion chamber shall be carefully connected with a vent pipe as hereinbefore provided.

Every such gas appliance which is provided with a vent outlet from the combustion chamber shall be carefully connected with a vent pipe as hereinbefore provided.

(e) Cooking Appliances: No gas stoves, ranges,

hot plates or similar appliances may be placed nearer than 12 inches to any unprotected woodwork. If woodwork is shielded with metal, asbestos, plaster or equivalent protection, this distance may be decreased to 6 inches.

Sec. 7. Meters—Prohibited Location: No meter shall be set underneath any stairway, in any clothes or storage closet, in any room used for sleeping purposes, in any dead space between floors, under show windows, nor within 3 feet of any electric switchboard or similar electric appliance. Meters must be protected from dampness and contact with the ground.

No meter shall be supported by piping, but shall rest upon substantial supports.

Sec. 8. Stop Cocks: (a) Within Fire Limits. Every gas main supplying buildings or structures located within the fire limits shall be provided with an approved full way cock.

Stop Cock Box—Every stop cock shall be provided with an extension stop cock box, extending to the surface of the sidewalk or parking, and the said stop cock box shall have the word "Gas" cast upon its cover.

Prohibiting Location—No outside stop cock shall be located in a vault or other inaccessible situation.

Location—In every case where a stop cock is placed between the curb and the building line, it shall be located opposite to the building which it serves. In alleys the stop cock boxes shall be placed outside of, and as close as possible to the lot line and the building served. In no case shall the top or any part of the stop cock box extend above the surface of the sidewalk or parking.

(b) Outside Fire Limits: Every gas main supplying buildings or structures located outside the fire limits shall be provided with a heavy main full way cock, which shall be readily accessible and capable of convenient operation from the exterior of the building or structure which it serves.

Sec. 9. Penalty: Any person, firm or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than ten dollars nor more than three hundred dollars or by imprisonment in the City Jail for not less than five days nor more than ninety days, or by both such fine and imprisonment.

Sec. 10. All Ordinances and parts of Ordinances in conflict with the provisions of this Ordinance, or any section or part thereof, are hereby repealed.

Sec. 11. This Ordinance shall be in force and effect thirty days after its passage by the City Commission, approved by the Mayor, and publication and posting as required by the City Charter.

Passed by the Commission of the City of Phoenix, this 11th day of December, 1918.

Approved this 11th day of December, 1918.

PETER CORPSTEIN,
Mayor.

Attest:

FRANK THOMAS, City Clerk.

PART 3

ELECTRIC INSTALLATION.

ORDINANCE NO. 461

As Amended by Ordinances Nos. 1 and 32.

An Ordinance creating the office of Inspector of Electricity and Providing for Electrical Inspection.

The Common Council of Phoenix do ordain as follows:

Paragraph (o) Section 2 Ordinance No. 1

Section 1. The City Inspector of Buildings shall have supervision and control of electrical plants, machinery, transformers, wiring, fixtures, appliances and devices and the installation, direction and construction of any and all plants, machinery and fixtures, appliances and devices for manufacturing power, heating, lighting, refrigerating and domestic purposes.

Sec. 2. That it shall be unlawful for any person, firm or corporation to place or install, or cause or permit to be placed or installed in any building, tent or other structure, any wiring, apparatus or fixtures for the use of electricity, or to make, or cause or permit to be made, any alteration or change in or addition to any wiring, apparatus or fixtures for such use without first obtaining fro the City Inspector of Buildings of said city, signed by him, a written permit so to do; and it shall be unlawful for any person, firm or corporation to do or perform or to cause or permit to be done or performed, any work other than that designated in such permit. Such permit shall also state the location by street and number of the building where such work is to be done, and shall be valid only for the location so stated.

Sec. 3. All electrical construction, all material and all appliances used in connection with electrical work, and the operation of all electrical appar[illegible] in the City of Phoenix shall be in conformity with the rules and regulations set forth in what is known as the "National Electrical Code," being rules and requirements for the installation of electrical wiring and apparatus for electric light, heat and power, as the same are now established, and the said rules and regulations, together with any amendments and changes made therein from time to time, and also any rules or regulations not in conflict with said National Electrical Code that may be made from time to time by the City Inspector of Buildings, are hereby adopted and approved.

Sec. 4. Certification of Registration: Every corporation, co-partnership or individual engaged in conducting the business of placing, installing or operating electrical wires, appliances and apparatus, or construction in or on buildings in the City of Phoenix, shall appear in person, or by duly authorized representative, at the office of the City Recorder, and shall there register his name and place of business in said city and make affidavit that such name and place of business as thus registered are correctly stated, and thereupon shall be entitled to a Certificate of Registration from said City Recorder; pro-

vided, that no such certificate shall be granted for more than the period of one fiscal year, or the portion thereof in any case unexpired at the time of the granting of the certificate.

Sec. 5. It shall be unlawful for any corporation, co-partnership or individual to engage in conducting the business of placing, installing or operating electrical wires, appliances, apparatus or construction in or on building in the City of Phoenix without first obtaining a certificate of registration from the City Recorder, and said certificate must be renewed as herein provided for within thirty (30) days after the first of July of each fiscal year..

Sec. 6. Contractors' Bond: Every corporation, co-partnership or individual engaged in conducting the business of placing, installing or operating electrical wires, appliances, apparatus or construction on or in buildings in the City of Phoenix before registration shall give a cash bond to the City of Phoenix in the sum of two hundred and fifty ($250.00) dollars or a surety bond with good and sufficient sureties in the amount of one thousand ($1,000.00) dollars for the faithful compliance with the provisions of this Ordinance, "And said bond, as to form and sufficiency, shall meet the approval of and be approved by the City Manager of the City of Phoenix, and filed with the City Clerk, and whenever, in the opinion of the said City Manager of the City of Phoenix, any bond filed hereunder shall be or become insufficient, the said City Manager may require a new and sufficient bond to be filed in lieu thereof, and unless such new bond is filed within twenty-four hours after demand therefor by the City Manager of the City of Phoenix, the certificate of registration and the right to do or transact business by such corporation, co-partnership, association or individual shall be forthwith suspended, and shall remain so suspended until such new bond so required by the City Manager shall have been furnished, approved and filed." Section 1 Ordinance No. 32

Sec. 7. Revocation of Certificate of Registration: The failure, neglect or refusal on the part of any corporation, co-partnership or individual, after due notification by the City Inspector of Buildings to correct, obviate or remove any fault, error or deficiency in placing, installing or operating electrical wires, appliances, apparatus or construction in or on buildings in said city shall be deemed sufficient cause for the City Inspector of Buildings to revoke temporarily said certificate of registration, and he is hereby authorized to suspend said certificate of registration for a period not exceeding thirty (30) days.

Sec. 8. City Inspector of Buildings to Approve Specifications: No person, firm or corporation shall place, construct or install in or upon any building, tent or other structure in the City of Phoenix any electrical apparatus without first filing with the City Inspector of Buildings of said city, in writing, specifications showing the kind and nature of the proposed apparatus, wires, appliances or construction (as the case may be) and a description

of the premises where it is proposed to place or install same, and securing the written approval of the City Inspector of Buildings on the intended installation.

Sec. 10. Certificate of Inspection. Upon completion of the wiring on any building it shall be the duty of the corporation, co-partnership or individual doing the same to notify the City Inspector of Buildings, who shall at once inspect the same, and if approved by him shall issue a certificate of satisfactory inspection, which shall contain the date of such inspection and an outline of such examination; nor shall current be turned on such installation until said certificate or extension be issued; nor shall any change, alteration or extension be made in the wiring of the building after inspection without notifying the said City Inspector of Buildings.

Sec. 11. Electrical Construction Not to Be Concealed. It shall be unlawful to conceal, or cause to be concealed, with any obstruction, such as lath, plaster or partition, any wires, apparatus or electrical construction in or about buildings before the same have been inspected by the City Inspector of Buildings or his authorized representative.

Sec. 12. Inspector to Have Right of Entry to Premises: Any corporation, co-partnership, association or individual, or agent, thereof, owning, operating or in possession of any electric power or electric light or power plant, or any corporation, co-partnership, association or individual or agent thereof owning or in possession of any building or other structure within the City of Phoenix, shall permit the City Inspector of Buildings to enter and inspect such plant or premises once in every three (3) months, or oftener, if deemed necessary by the City Inspector of Buildings, for the purpose of ascertaining whether the electrical wires, appliances, apparatus, construction or equipment in or about said plant, building or other structure are in conformity with the provisions of this Ordinance, and it shall be unlawful for any occupant or owner of premises where electrical wires, appliances, apparatus, constructions or equipment are used, or any person whatever, to prevent or interfere with any inspector in the discharge of his duties, under this Ordinance; provided, however, that said Inspector shall, upon the request of the owner or occupant of said premises, exhibit his authority to make such inspection, which shall be signed by the City Inspector of Buildings; and any such corporation, co-partnership, association or individual or agent thereof, after notice in writing has been given by the City Inspector of Buildings that any portion of said electrical wires, appliances, apparatus, construction or equipment does not conform with the provisions of the National Electrical Code, as provided for in this Ordinance, shall make such repairs and alterations as may be necessary to make said electrical wires, appliances, apparatus, construction or equipment conform to said code, and failing so to do within five (5) days after said notice is given, the City Inspector of Buildings shall and he is hereby empowered to disconnect and remove said portion of said

electrical wires, appliances, apparatus, construction or equipment so found not to be in conformity with said code; and the City Inspector of Buildings shall forthwith notify the corporation, co-partnership or association or individual, or agent thereof, supplying the electrical power for said connection; and said corporation, copartnership, association or individual, or agent thereof, shall not renew said power supply without permission from the City Inspector of Buildings, and said company shall be relieved of responsibility for discontinuing such service.

Section 2 Ordinance No 32

Sec. 13. Every corporation, co-partnership, association and individual, or agent thereof, placing or installing electrical wires, appliances, apparatus, construction or equipment in, on or about any building or other structure in the City of Phoenix shall, before certificate of inspection, as provided for in Section 10, is issued by the City Inspector of Buildings, pay to the said City Inspector of Buildings the following fees, viz.:

For each permit issued	$0.75
For each outlet at which current is controlled or issued	.05
Electric signs, 660 watts or less	2.00
Each additional 660 watts or part thereof	1.00
Window, outline, border, strip and foot lights under 18-inch spacing, each	.05
For arc lamp complete, each	.25
For each and every electric fixture	.05
Chandeliers, three sockets or under	.05
Each additional three sockets or less	.05
For each motor or generator of 1 H. P. or less	.50
For each motor or generator of more than 1 H. P. and not more than 5 H. P.	1.00
For each motor or generator of more than 5 H. P. and not more than 10 H. P.	1.25
For each motor or generator of more than 10 H. P. and not more than 15 H. P.	1.50
For each motor or generator of more than 15 H. P. and not more than 20 H. P.	2.00
For each additional 10 H. P. over 20 H. P.	.50
For each rectifier	1.25
Other current or voltage regulating devices, each	.25

All devices consuming an excess of 660 watts will take the same fee as motors of the same wattage or current consumption.

Provided, however, that the minimum amount of any bill of fees to be charged shall not be less than 75c for any job where the cost of labor and material exceeds $2.00 and not less than 25 cents where the cost of labor and material is less than $2.00.

Each such corporation, co-partnership, association or individual, or agent thereof, before commencing the placing or installing of wires, appliances, apparatus, construction or equipment in or about any building or other structure within the City of Phoenix, and at or prior to the time of securing a permit for the placing or installing thereof, shall deposit with the City Inspector of Buildings such sum of money as the said

City Inspector of Buildings shall estimate as sufficient to cover the total amount of fees to become due to the city hereunder for such contemplated work. However, in no event shall such sum so to be deposited be less than the sum of two ($2.00) dollars. And upon completion of such placing and installing, and after inspection and passing thereof by the City Inspector of Buildings, the fees due to the city under Section 2 hereof shall be deducted from such sum of money, and the remainder, if any, shall be returned to the corporation, co-partnership, association or individual so depositing the same, together with the certificate of inspection of said placing of installation.

The duties herein required to be performed by the City Inspector of Buildings may be performed by the said City Inspector of Buildings, or by assistants authorized thereto by the City Commission by Ordinance or resolution.

Sec. 14. Fees for Extra Inspection: When any corporation, co-partnership, association or individual, or agent thereof, after notice has been given in writing by the City Inspector of Buildings, shall be found to have intentionally or negligently violated any of the rules or regulations established under this Ordinance, or when, through any such violation, by corporation, co-partnership, association, or individual, or agent thereof, doing the work, it is necessary to make extra inspection of the work, there shall be charged said corporation, co-partnership, association or individual, or agent thereof, for such extra inspection made necessary on account of such violation, a fee of not to exceed seventy-five (75) cents per hour for the time actually consumed by each inspector making such inspection, and for the inspection of electrical wires, appliances, apparatus, construction or equipment, for which no fee is herein prescribed, and for the inspection of temporary installation for decorative, advertising, theatrical or similar purposes there shall be charged to and paid by the corporation, co-partnership, association or individual, or agent thereof, installing such work, a fee not exceeding seventy-five (75) cents per hour for the time actually consumed by each inspector making such inspection, previous to obtaining the necessary certificate of inspection, as aforesaid.

Sec. 15. All fees herein provided to be paid to the City Inspector of Buildings shall be, by said Inspector, at least once a month, deposited with the City Treasurer, and he shall take the receipt of such Treasurer for all moneys so paid to him.

He shall also file at least once a month, and oftener if required by the Common Council, a detailed statement with the City Recorder showing the name of the person paying such fees, the location by lot and block where any electrical work has been done, together with each amount collected by him for any person as fees of his office.

Sec. 16. Damages: If any person, firm or corporation shall place or install, or cause or permit to be placed or installed in any building, any wiring, apparatus or fixtures for the use of electricity, or shall make or cause

or permit to be made any alteration or change in or addition to any wiring, apparatus or fixtures for such use, without a permit first having been obtained for the same as required by this Ordinance, no permit shall be subsequently issued for the same and no inspection of the same shall be made until double the amount of fees otherwise provided by Ordinance are paid for such permit and inspection.

Sec. 17. Every person, firm or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable for the first offense by a fine of not less than ten ($10.00) dollars nor more than thirty ($30.00) dollars or by imprisonment in the City Jail for a period of not less than five (5) nor more than fifteen (15) days, or by both such fine and imprisonment; for a second offense by a fine of not less than thirty ($30.00) dollars, nor more than one hundred ($100.00) dollars, or by imprisonment in the City Jail for a period of not less than fifteen (15) nor more than fifty (50) days, or by both such fine and imprisonment; for the third and any subsequent offense, by a fine of not less than one hundred ($100.00) dollars, nor more than two hundred ($200.00) dollars, or by imprisonment in the City Jail for a period of not less than fifty (50) days nor more than six (6) months, or by both such fine and imprisonment.

Sec. 18. Every person, firm or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a separate offense for each day during which, or any portion of which, such violation continues, and shall be punishable therefor as herein provided.

Sec. 19. This Ordinance shall not be construed to relieve from or lessen the responsibility of any person owning, operating or installing any electrical wires, appliances, apparatus, construction or equipment, for damages to any one injured by any defect therein; nor shall the city or any agent thereof be held as assuming any such liability by reason of the inspection authorized herein or the certificate of inspection issued by the City Inspector of Buildings.

Sec. 20. All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Sec. 21. This Ordinance shall take effect and be in force from and after its passage and publication as by law required.

Passed by the Common Council of Phoenix this 5th day of May, 1910.

CHAPTER 4
WATER WORKS—IRRIGATION.

ORDINANCE NO. 400

Governing the operation of the Water Works Plant of the City of Phoenix, and providing for the appointment of a Superintendent, Chief Clerk, and Chief Engineer, of said plant, and prescribing their duties.

The Common Council of Phoenix do ordain as follows:

Section 1. That for the proper administration of the water service and the operation of the Water Works plant of the City of Phoenix, from and after the first day of July, 1907, there shall be appointed by the Common Council one (1) Superintendent, one (1) Chief Clerk, one (1) Chief Engineer, and such other additional assistants as may be required, and the salaries of all of said officers or employees so appointed shall be as may be hereafter fixed by the Common Council, and said Superintendent and Chief Clerk before entering upon the discharge of their duties shall execute bonds as may be deemed proper and just to insure the city in the faithful discharge of their respective duties.

Sec. 2. The Superintendent shall be general executive officer in charge of the operation of said plant and over all employees therewith connected, over all engine houses, engines, pumps, reservoirs, stand pipes, pipe lines, hy[illegible]nts, [illegible]re che[illegible], top-coc s, gate [illegible]alves fire blocks and all other property and machinery used in or connected with the operation of said plant, and shall make all repairs deemed necessary, consistent with his duties. He shall also report all violations of this Ordinance to the Common Council, and when deemed necessary make complaint to the City Recorder of any violation of this Ordinance or any amendment thereof. He shall also attend to and control the water supply, at all times see to the sufficiency thereof, and shall notify the public, unless emergency require otherwise, of the necessity of shutting off any pipe line for the purpose of making repairs, extensions or connections, should have cause to suspect or know beforehand of the necessity to so shut off the water from any line or lines. He shall also have general supervision, subject to the approval of the Common Council, over all charges of water rents, pipe tapping, building costs, repairing, etc., and all charges not herein expressly provided for or appearing under the head of "Special" the Superintendent shall be governed by the relative charge made to other consumers for like water service. In the performance of his duties as required by this section, the Superintendent shall be subject at all times to the act of the Common Council, and such regulations, directions and restrictions as said Council may from time to time prescribe. The Superintendent, or other employee under his supervision, shall make all taps of service connections. He shall keep a record of all connections made, the purpose for which same are to be used, the number of sinks, closets, basins, baths, and other fixtures, together with the name of the owner of the property, his agent or representative. The fees for making such taps or connection shall be such as shall be hereinafter stated under the heading of "Rates."

Sec. 3. The Chief Clerk shall be the recognized first assistant to the Superintendent, and in the absence of the latter shall perform his duties, and under the general supervision of the Superintendent shall have charge of the books connected with the operation of said Water

Plant, and make all collections of water rents or other moneys that may be due the city for water service or become due by reason of the operation of said plant, and shall issue his receipt therefor. All receipts issued by the Chief Clerk shall be on regular printed forms, and issued in the name of "Water Department City of Phoenix," and shall be signed by the City Recorder and countersigned by the Chief Clerk. All receipts so issued and signed shall have perforated margins, to which shall be attached stubs, on which receipts, as well as stubs, shall be written the date of the issuance of the receipt, the purpose for which same was issued, the amount received, and the service number thereof. Receipts issued for moneys collected for water service shall be known as "Water Rental Receipts," and the stubs shall be filed in the office of the Superintendent each day. All stubs and receipts for tapping charges, repairs or other sources not expressly provided for herein, shall be kept in a book to be known as "Miscellaneous Receipts." Where water is supplied through meter the receipts shall contain the reading of the meter by gallons or cubic feet as the case may be, which receipts shall have stubs attached and be filed as water rental stubs are required to be filed. The City Recorder shall personally sign all such receipts, but for his convenience may affix his signature by means of a rubber stamp or other convenient device. In the absence of the Recorder the Common Council may appoint his representative to perform this duty, which representative may sign all such receipts in the name of the City Recorder by himself as Acting City Recorder, signing his name thereto. The Chief Clerk shall receipt to the City Recorder for the total number of receipts signed by the last-named official as well as the total amount of money represented by such receipts so signed by the City Recorder, and said Recorder shall keep an accurate account of same and credit said Clerk with the amount paid by the Clerk to the City Treasurer as evidenced by the receipts of the City Treasurer as hereinafter provided to be delivered to the City Recorder by said Clerk with all unused, canceled or mutilated receipts returned by said Clerk to him as such Recorder. In the absence of the Chief Clerk the Council may designate some person to act in his place and stead, requiring of him such bond or bonds as it may deem necessary for the city's protection. The Chief Clerk shall turn all moneys collected by him as such official over to the City Treasurer whenever the total amount collected by him shall equal one hundred dollars ($100.00); provided, however, that said Clerk shall deposit all moneys so received by him at least once a week with the City Treasurer, and in all cases shall take the receipt in duplicate of the City Treasurer, one to be filed with the City Recorder, one to be retained by himself.

The Chief Clerk shall also submit accurate quarterly and annual statements of the accounts of his books, or any account therein, and shall make such other reports as may be required by the Common Council from time to time, and all moneys paid to the City Treasurer as herein pro-

vided shall be kept by said Treasurer in a separate fund to be known as the "Water Works Fund," into which the said Treasurer shall turn all moneys received by him properly belonging to such fund, and shall make a quarterly and annual report of all such moneys so deposited with him by said Chief Clerk, or such other report as may be required by the Common Council from time to time. No moneys shall be drawn by the City Treasurer, or any other official, from said Water Works Fund except upon a warrant authorized by the Common Council at a regular meeting in the same manner as other warrants are required to be drawn against the various funds of said city; and all repairs and operating expenses shall be paid by warrant drawn on the Water Works fund.

Sec. 4. The Chief Engineer shall have charge of the pumping works and machinery, and perform such duties as may be required about the pumping station. He shall keep a careful account of all fuel and supplies used and all repairs made, and report to the Superintendent the condition of all machinery, pumps and boilers, wells and any property which may be required of him. He shall make a monthly statement of all fuel used or supplies on hand, and report all supplies used. He shall keep an accurate account of the revolutions of his engine, the number of strokes of his pump, and give a daily report of the number of gallons of water pumped for each twenty-four (24) hours.

Sec. 5. Any individual, firm, company or corporation, doing or desiring to do business as plumber or plumbers in the City of Phoenix, before doing any work on any pipe or pipes in any way connected with the Water Works system of said city, or making any connections thereto, shall make application to the Superintendent for a permit, which application shall state his, their or its place of business in said city, his, their or its willingness to be governed by the rules and regulations as herein set forth or hereafter adopted, and should the application meet with the approval of the Superintendent, and the applicant shall have executed a bond to the Common Council of the City of Phoenix and filed the same with the City Recorder in the sum of two hundred and fifty dollars ($250), to be approved by said Council, conditioned for the due performance of his, their or its duty as plumber or plumbers, and to save and keep harmless said city from all damages to its Water Works plant or connections arising from the neglect of himself, themselves or itself, agent or employees, and from any carelessness in the exercise of his, their or its business as plumber or plumbers, while doing work making connections, or otherwise affecting the Water Works plant of the City of Phoenix, the Superintendent shall issue his permit, which shall entitle said plumber or plumbers, under the provisions of this Ordinance, to do business as such plumber or plumbers. Nothing herein provided, however, shall be taken or held to affect any other provision of this Ordinance relating to any requirement herein imposed on any plumber or plumbers, and any plumber or plumbers mov-

ing from said city shall forfeit his or their permit, said permit being non-transferable. The Common Council may at any time revoke any permit so issued by the Superintendent for any violation of this Ordinance.

Sec. 6. Any plumber having a permit may connect to any tap made by the Superintendent or run the pipes of distribution for any purpose stated in the application, but shall, immediately upon the completion of same, turn off the water at the curb stop-cock, after having thoroughly tested the work, and leave the aforesaid stock-cock turned off until permission is granted in writing, by the Superintendent to the owner or agent of the said property, to use the water as stated in the application issued.

Sec. 7. Plumbers when called upon to run service pipes shall, in all cases, place the curb stop-box over the curb cock, which shall be furnished by the Superintendent, one foot inside of the curb line, and in all cases said stop and box shall be immediately in front of the property to which the said service is to furnish the water supply. All service must be at least one and one-half (1½) feet below the established grade of any street, alley or highway through which it may be required to run the same.

Sec. 8. Any plumber having installed any plumbing fixtures or added any apparatus using the water furnished by the City of Phoenix, extended the service pipes of any service already connected with the water supply pipes, or added any fixture whatever to the water pipe of any service, shall, when a permit has been issuel to use water on same, or when the work has been completed, make a full and complete report to the Superintendent within forty-eight (48) hours after the completion of such work, stating fully the number of fixtures installed, the extensions made, giving the name of the owner of the property, the location of same, and give an accurate account of all the purposes for which water is to be used, whereupon the monthly rate shall be adjusted or readjusted as the case may require.

Sec. 9. In no case shall any individual or plumber turn on the water supply to any building or any supply pipe, where the supply has been turned off for the non-payment of the monthly water rent or for violation of this Ordinance or of any that may hereafter be adopted. All water that has been turned off by order of the Superintendent shall be turned on again only by order of said officer, and the City of Phoenix shall not be held liable for any damage that may result from the shutting off or turning on of any supply pipe or main for any purpose whatsoever, even should no notice have been given or for damage caused by any break or leak in any water pipe inside the curb line; all supply pipes to building should be properly supplied with a suitable stop-cock inside the property line to insure against the danger of frost or breaks which may cause any damage. The said stop-cock should be kept in good order and under the control of the consumer, the stop-cock and box near the curb line being in charge of the Superintendent or his

representative, and must, under no circumstances, be turned on or off or tampered with by any other person or persons.

Sec. 10. Any person or persons desiring to use water from the Water Works must first make application at the office of the Superintendent, stating fully the several and various uses for which water is wanted, giving the name of the owner, the number of the lot and block, name of the street and street number, and upon the payment of the tapping fee, the Superintendent shall make the necessary connections and furnish a cast iron curb stop box and curb cock, the cost of which is included in the tapping fee. All new service shall be turned off immediately upon completion of the work upon the same, and the water not turned on again until a consumer's permit has been issued to use water on the premises, and in the event the service has been run to furnish water for building purposes it shall then only be turned on when the water charges for building purposes have been paid, the receipt for which shall be recognized as a permit to use the water for the purposes as described. And it is hereby made the duty of all persons who may desire water for building purposes, to make application at the office of the Superintendent for the use of same, stating fully and accurately the number of rooms the building is to contain, or the size of the structure, the class of building, or other information as the case may be, and on payment of the amount assessed, a permit will be granted the application for the purposes stated.

Sec. 11. An officer or employee of the city connected with the Water Works Department may enter the premises of any water consumer at any reasonable time, to examine the pipes and fixtures, the quantity of water used, the manner of its use, and in case of fraudulent representation on the part of any water consumer or unnecessary waste, the supply shall be shut off until all charges have been fully paid. Street or yard sprinklers shall not be converted into hydrant jets or fountains, or be allowed to run to waste in the gutters of the streets or upon the lawns or yards, except when used for sprinkling as herein provided. No premises shall be sprinkled except those that are assessed for water rent for that expressed purpose, and then only by use of a nozzle not exceeding one-fourth (¼) inch in diameter, or by a spray attachment, except by written consent from the Superintendent. No water shall be used by consumers between the first day of May and the first day of October in each year for sprinkling purposes except between the hours of five a. m. and seven a. m., and five p. m. and nine p. m. of each day, and then only under the supervision of some person on the premises to be in charge of the same, except where a meter is used. Persons using the water other than through a meter for sprinkling or irrigation purposes, allowing water to run during other hours than those specified in this act, shall be liable to have the water turned off from their premises without notice, and it shall not be turned on until the usual fee hereinafter provided

for such service has been paid, and the city reimbursed for the amount of water so wasted, and shall also be liable to all penalties that may be hereinafter imposed for violation of any provision of this Ordinance. No hydrant, bib or hose attachment shall be placed in any yard or area of any premises so situated as to be accessible to persons living in or occupying neighboring premises, unless the owner of the premises first named becomes responsible for and pays the water rent for all persons using water therefrom, in which case a separate rent shall be charged for each house, store or premises supplied, and if supplied through one pipe and meter, all rents must be paid by one party on one bill.

Sec. 12. Should the connection or branch pipe, stop or hydrant cock through which the premises of any person have been supplied with water, leak, or need repairing, it shall be the duty of such person forthwith to have the same repaired, and on failure to do so, within twenty-four (24) hours after notice, supply of water to such premises shall be shut off.

Sec. 13. In all cases where water is used on any premises, the property owner or his agent must settle for the full amount of the rents charged against the property, and the Chief Clerk shall not receive pay from tenants unless said tenant sees fit to pay the whole rent charged against the said property.

Sec. 14. Any person wishing to discontinue the use of water supplied by the city must give notice thereof at the office of the Superintendent, or the charge for water will be entered until such notice has been given, and no reduction shall be made to any water consumer from the current rate unless the water pipes to certain fixtures have been disconnected so that water cannot be drawn from same, and no fixtures which have been so disconnected shall again be connected without first notifying the Superintendent or the Chief Clerk. No allowance shall be made consumers in any case for more than fifteen (15) days, where the water has been turned off.

Sec. 15. Any property upon which water is or has been furnished by the City of Phoenix, which may not for any cause, have been registered or assessed for water rents on the books of the Chief Clerk, shall be assessed for the water rent for which it is in arrears, and upon the failure of the payment of same, the supply shall be turned off pending a settlement. The rent per month for water so supplied shall be according to rates as hereinafter stated, and any consumer who may feel that the assessment for water rent on his property is in excess of the current rate shall make a complaint to the Common Council, in writing, stating fully his claim and why the rent as assessed should be reduced. All water rents shall be due and payable at the office of the Superintendent, between the hours of 9 o'clock a. m. and 5 o'clock p. m. on the first day of each month for service during each month, and if not paid within ten (10) days thereafter the supply will, without notice, be turned off and the charge of one dollar ($1.00) will be added for the cost

of turning off and on the service, except where water is furnished consumers through a meter, in which event the water so used shall be paid for on the first day of the month for the water used during the preceding month, or within ten (10) days thereafter, or same will be turned off and the same charge made for turning the water off and on as hereinabove provided for water used without a meter.

Sec. 16. If in the opinion of the Superintendent the amount of water used on any premises is in excess of the rent collected, it shall be the duty of the Superintendent to install a meter upon such premises and collect for all water used through such meter, according to the reading of same at the rate hereinafter set forth or hereafter adopted. Should any meter fail to register correctly the amount of water passing through it, the charge of water for any month so affected shall be as for the average for the last three (3) months preceding, and said meter shall be immediately repaired to its proper order or be replaced by another and accurate meter, and any person tampering or interfering with the working of any meter so installed shall be guilty of a misdemeanor, and upon conviction thereof shall be punished as is provided in Section 26 of this Ordinance. The minimum rate charged for water by meter shall in no case be less than two dollars ($2) per month.

Sec. 17. If any person or persons shall open or close any fire hydrant or stop-cock connected with the Water Works system of the City of Phoenix, lift or move the covers of any gate valve, or should any officer, without permission from the Superintendent, except in case of fire, and then under the direction of the officers of the Fire Department, or if any person or persons shall destroy, deface, impair, injure or wantonly force open any gate or door or in any way whatever destroy or deface any part of any engine house, reservoir, trees, crops or fixtures appertaining thereto, or any water pipe, fire hydrant, fountain or any fixture or property appertaining to the Water Plant or System of the City of Phoenix, or shall by false key or otherwise, after the water has been shut off from any premises, cause said premises to be supplied with water, such person or persons, his aiders or abettors, shall be guilty of a misdemeanor, and upon conviction be fined in accordance with Section 26 of this Ordinance.

Sec. 18. Any person whose premises are or may be supplied with water in pursuance with this Ordinance, shall be deemed and taken to assent to the requirements of the same, or any Ordinance amendatory hereof.

Sec. 19. The rate for the use of water for consumers shall be subject to such change, revision and modification as the Common Council may deem necessary.

Sec. 20. When alarm has been given and the public notified by the ringing of the fire bell, all hydrants and fixtures shall be immediately turned off and not be turned on again except for the necessary domestic purposes, during the continuance of said fire.

Sec. 21. The following monthly rates are established and assessed: Any water supply herein mentioned as "Special," and any water to be supplied not herein provided for shall be rated by the Superintendent subject to the approval of the Common Council, and all rates and charges so made shall be entered at the office of the Superintendent and collected in the same manner as regular charges are collected, and no water shall be furnished by the city to any person, firm, corporation or association, except as by this Ordinance provided.

Barber Shops, without fixtures	$1.00
Barber Shops, one wash basin, one chair	1.50
Barber Shops, each additional chair	.50
Barber Shops, one bath tub	1.50
Barber Shops, each additional tub	.50
Blacksmith shops	Special
Dwelling houses, domestic purposes	1.50
Horses and cattle (more than one), each	.25
Hotels	Special
Livery stables and corrals	Special
Rooming houses	Special
Saloons	2.50
Stores	$1.00 to 4.00
Stores with soda fountains	2.00 to 5.00
Hose, for each 25 ft. lot sprinkled	.40

Sec. 22. In addition to the foregoing flat rate there shall be added an extra charge per month for each fixture of plumbing, area irrigated, etc., as follows:

Baths, in dwelling houses, each	$0.25
Baths, in stores, banks and offices each	.50
Baths, in hotels, rooming or boarding houses, each	.50
Baths, in bath houses	1.00
Baths, in saloons	1.00
Urinals, private	.25
Urinals, public	.50
Wash basins, public	.50
Water closets, in dwelling houses, each	.50
Water closets, in shops, each	.50
Water closets, in offices	.50
Water closets, in stores	.50
Water closets, in rooming houses	.50
Water closets, in boarding houses	.50
Water closets, in halls	.50
Water closets, in theaters	.50
Water closets, in saloons	.75
Water closets, in hotels	.75

Sec. 23. Meter Rates: For each one thousand (1,000) gallons and not exceeding one hundred thousand (100,000) gallons, used per month, twenty (20) cents per thousand (1,000) gallons; for more than one hundred thousand (100,000) gallons and not exceeding two hundred and fifty thousand (250,000) gallons used per month, fifteen (15) cents per thousand (1,000) gallons; for more than two hundred and fifty thousand (250,000) gallons used per month, twelve and one-half (12½) cents per thousand (1,000) gallons.

Sec. 24. Building Rates:

Brick buildings, each barrel of lime used	$0.10
Adobe buildings	Special
Frame buildings	Special

Sec. 25. Tapping Charges:

¾-inch tap, curb stop-cock, and cast iron curb box	$7.00
1-inch tap, curb stop-cock, and cast iron curb box	9.00
Larger sizes	Special

Sec. 26. In case of violation of this Ordinance or any provision or amendment thereof for which no penalty is herein expressly provided, such violation shall be deemed a misdemeanor and punishable by a fine of not less than five dollars ($5) nor more than one hundred dollars ($100), or by imprisonment in the City Jail for not less than five days nor more than one hundred (100) days, or by both such fine and imprisonment, for each offense so committed.

Sec. 27. All Ordinances and parts of Ordinances in conflict with this Ordinance are hereby repealed.

Sec. 28. This Ordinance shall be in force and effect from and after its passage and publication as required by law.

Passed by the Common Council of Phoenix this 17th day of June, 1907.

Approved this 17th day of June, A. D. 1907.

L. W. COGGINS,
Mayor.

Attest:
FRANK THOMAS, City Recorder.

ORDINANCE NO. 410.

An Ordinance repealing Ordinances Nos. 89 and 105 of the City of Phoenix, and fixing the price to be charged for irrigating water and regulating the distribution thereof throughout the City of Phoenix.

The Common Council of Phoenix do ordain as follows:

Section 1. The Common Council shall appoint a Zanjero and such assistant Zanjeros as may be necessary for the proper distribution of the irrigating water throughout said city, who shall hold office at the will and pleasure of said Council.

Sec. 2. It shall be the duty of the Zanjero to assist and direct, under the general supervision of the Superintendent of Streets, all repairs and works upon all the main ditches and branches of the same that run or may run through the streets and alleys of the city, and under the direction of the Superintendent of Streets; he shall have the supervision and government over the same, and take care to prevent any obstructions to the free passage of the water therein, and in order to assist him in carrying out all the duties assigned to him by this Ordinance shall have control and supervision over the Assistant Zanjeros and be responsible for their acts. The Zanjero, together with the Assistant Zanjeros, shall have all the power and authority of the police force of the city to arrest any

person or persons who shall take or steal the water or any portion of the water purchased and flowing through the ditches of the city to any other party, and to arrest any person who shall in any manner violate any of the provisions of the Ordinances of the city in relation to the management, control and distribution of water through the ditches of the city, or any of the rules and regulations of the Common Council touching upon the same.

Sec. 3. The Superintendent of Streets, in addition to the duties imposed upon him by any other Ordinance or Resolution of the City of Phoenix, shall have full charge, management and control, under the direction and subject to the rules and regulations of the Common Council, of the distribution of all water, and shall be accountable to the Common Council for the proper distribution of such water, and the control and supervision of the Zanjero and his assistants, and examine all applications for water, and inquire into and ascertain whether more water is being used than necessary to irrigate any particular tract. He shall make such reports and recommendations to the Common Council regarding rates to be charged for any special tract of land, which, in his judgment or that of the Common Council, may seem to authorize the Council making a special rate, different from the table of rates hereinafter contained.

Sec. 4. The City Assessor and Tax Collector shall make all sales of irrigating water, and to that end shall keep a book in which shall be contained the names of all persons purchasing irrigating water, the amounts paid by such persons for the water, the number of lots and blocks irrigated and description thereof, and he shall issue his receipts therefor, which receipts shall be numbered consecutively from one (1) upwards, and shall be bound in a book of receipts known as "Irrigating Water Receipts," and shall be so arranged as to have stubs attached, with perforated margins, which stubs shall set forth the number of the receipt issued, to whom issued, description of the property for which the water was purchased, by lots and blocks, or by metes and bounds, the amount paid, and said receipts shall, before being issued, be countersigned by the City Recorder and shall not be transferable. Such receipt shall be sufficient authority for the Zanjero or his assistants to deliver water to the party holding same, and it shall be unlawful for any person to collect any money or deliver any irrigating water to any person until he shall first have paid the City Assessor and Tax Collector the amount due for such water. All moneys received by such City Assessor and Tax Collector for the sale of irrigating water shall be paid to the City Treasurer, who shall receipt to him for such moneys, and the City Assessor and Tax Collector and the City Treasurer shall both make a report to the Common Council of all moneys so received, in their quarterly and annual reports, or oftener if the Common Council so require.

Sec. 5. The price of water, to be paid yearly in advance, on or before the 15th day of June after the passage of this Ordinance, and annually thereafter on the

first day of May of each year, or within fifteen days thereafter, shall be as follows:

Lots		Acreage	
1 lot	$ 3.50	1 acre	$11.00
2 lots	5.50	2 acres	14.00
3 lots	7.50	3 acres	16.00
4 lots	9.00	4 acres	18.00
5 lots	10.00	5 acres	20.00
6 lots	11.00	6 acres	22.00
7 lots	11.50	7 acres	24.00
8 lots	12.00	8 acres	26.00
9 lots	12.50	9 acres	28.00
10 lots	13.00	10 acres	30.00
11 lots	13.50	More than 10 acres, per acre in addition to the above.	1.00
12 lots	14.00		

The foregoing table of lots is estimated upon a lot not exceeding fifty (50) feet by one hundred fifty (150) feet in size; and a fractional part of any lot or acre shall be charged for at the same rate as a full lot or acre as the case may be, and the price of water for a fractional part of a year shall be the same as for the full year, and where water is purchased for more than one lot or for more than one acre, the foregoing table will only apply where such lots or acreage, as the case may be, are contiguous, owned, occupied or used by one and the same person, and receiving water through one common service gate, provided, however, that public school grounds and grounds used for church purposes within the corporate limits of the City of Phoenix shall be furnished irrigating water without any charge therefor.

Sec. 6. All persons are prohibited from making any ditch in or across any street or alley in the city, except under the direction of the Superintendent of Streets. All persons are prohibited from damaging any water ditch, from making or causing to be made any aperture or opening by or through any water gate or in any part of the bank of any water ditch, raising or causing to be raised any water gate, making or placing any water gates in any water ditch, without the permission of the Superintendent of Streets; destroying or causing to be destroyed any water gate, moving or causing to be moved or displaced any water gate without permission of the Superintendent of the Streets; placing or causing to be placed any obstruction impeding the free current and distribution of the water; placing or causing to be placed anything that will injure the banks of the ditches; taking or using the water without purchasing the same, or in any way diverting the water to the injury of a purchaser. Any person guilty of either of the offenses set forth in this section shall, upon conviction, be found guilty of a misdemeanor.

Sec. 7. (1) Every person who irrigates from the water ditches of the city shall make and place a water gate according to the direction and satisfaction of the Superintendent of Streets. Should any person refuse to

do this, he or she shall be deprived of the use of the water until such water gate is made and placed to the satisfaction of the Superintendent of Streets.

(2) Every person who shall take out water for irrigating purposes from the city ditches must do so at such places as may be designated by the Superintendent of Streets, and no new openings or water gates shall be made or placed in any ditch except under the direction and by consent of the Superintendent of Streets.

Sec. 9. No person shall make or cause to be made any breech in the bank of any water ditch, so as to cause the water to run to waste or to the injury of others, nor is any person allowed to so construct or keep their private water ditches in such a manner as to cause a waste of water either by allowing it to run upon any street or alley or upon the lands or lots owned by such person that he has not purchased water for.

Sec. 9. Every person who purchases water for irrigation from the city ditches must prepare his land and so make his private ditches that there shall be no waste of water either upon the streets or alleys of the city or to the injury of the land of another, and the Superintendent of Streets is authorized to see that unless private ditches are prepared in accordance with this section, such parties so offending shall have their water supply shut off until their private ditches are made in accordance with this section and to the satisfaction of the Superintendent of Streets.

Sec. 10. No person who purchases water from the city ditches to be used for irrigation within the city limits shall be allowed to sell or transfer any right to use such water for the benefit of another, or any other lot or lots, and it shall be the duty of the Superintendent of Streets to immediately cut off the supply of water so used when the same shall come to his knowledge.

Sec. 11. In case of a scarcity of water in the city the purchasers of water shall have only such water for irrigation purposes in such quantities and for such length of time as the Common Council may prescribe.

Sec. 12. Any person violating any of the provisions of this Ordinance shall be guilty of a misdemeanor and on conviction therefor shall be punished by a fine of not less than five dollars ($5.00) nor more than one hundred dollars ($100.00) or by imprisonment in the City Jail for a period of not less than five (5) days nor more than one hundred (100) days, or by both such fine and imprisonment.

Sec. 13. Ordinance No. 89, entitled "An Ordinance concerning the water districts, water committee, Zanjero, price of water and the distribution of water throughout the city for irrigation purposes," and Ordinance No. 105, entitled "An Ordinance to amend Ordinance No. 89 of the Common Council of Phoenix, concerning the water districts, water committee, Zanjero, price of water, etc.," and each and every section of said Ordinances and all resolutions and orders of the Common Council or parts

thereof, in conflict with this Ordinance, are hereby repealed.

Passed by the Common Council of Phoenix this 27th day of May, A. D. 1908.

Approved this 27th day of May, A. D. 1908.

L. W. COGGINS,
Mayor.

Attest:
FRANK THOMAS, City Recorder.

ORDINANCE NO. 425.

An Ordinance amending Sections 3, 21 and 23 of Ordinance No. 400 of the City of Phoenix, entitled an Ordinance governing the operation of the Water Works plant of the City of Phoenix, and providing for the appointment of a Superintendent, Chief Clerk and Chief Engineer of said plant and prescribing their duties.

The Common Council of Phoenix do ordain as follows:

Section 1. That Section 3 of Ordinance No. 400 of the City of Phoenix, in so far as said section requires the City Recorder of said City of Phoenix to sign all receipts issued by the Chief Clerk of the Water Department and to keep an accurate account of the moneys collected by said Chief Clerk as represented by the receipts issued therefor, be and the same is hereby repealed.

Sec. 2. That Section 21 of Ordinance No. 400 of the City of Phoenix be amended by striking out the words and figures, "dwelling houses, domestic purposes, $1.50," and inserting in lieu thereof the words and figures, "dwelling houses, domestic purposes, $1.00."

Sec. 3. That Section 23 of Ordinance No. 400 of the City of Phoenix be and the same is hereby amended to read as follows:

"Meter Rates. For each one thousand (1,000) gallons used per month, twelve and one-half (12½c) per thousand gallons."

Sec. 4. This Ordinance shall take effect and be in force from and after its passage and publication as required by law.

Passed by the Common Council of Phoenix this 16th day of March, 1909.

LEWIS W. COGGINS,
Mayor.

Attest:
FRANK THOMAS, City Recorder.

ORDINANCE NO. 575.

An Ordinance Amending Section 3 of Ordinance No. 425 "An Ordinance amending Sections 3, 21 and 23 of Ordinance No. 400 of the City of Phoenix, Entitled An Ordinance Governing the operation of the Water Works Plant of the City of Phoenix, and Providing for the appointment of a Superintendent, Chief Clerk and Chief Engineer of said plant and prescribing their duties."

The Common Council of the City of Phoenix do ordain as follows:

Section 1. That Section 3 of Ordinance No. 425 of the City of Phoenix be, and the same is hereby amended to read as follows:

"Meter Rates: For each one thousand (1000) gallons used per month, twelve and one-half cents (12½c) per thousand gallons, except where water is used for public schools, when rate shall be 6⅔ cents per each one thousand gallons.

Section 2. This ordinance shall take effect and be in force from and after its passage and publication as required by law.

Passed by the Common Council of Phoenix this 6th day of December, 1913.

LLOYD B. CHRISTY,
Mayor.

Attest:
FRANK THOMAS, City Recorder.

ORDINANCE NO. 47.

An Ordinance empowering the City Manager to purchase from the United States Reclamation Service, irrigation water for lot owners in West Capitol Addition, under certain conditions.

Be It Resolved By The Commission of the City of Phoenix, as Follows:

Section 1. The City Manager is hereby authorized, empowered, and directed, to purchase in the name of the City of Phoenix, irrigation water from the United States Reclamation Service, for delivery to and use upon lots in West Capitol Addition, as shall or may be required or needed by said lot owners, whenever the said lot owners shall so request, and shall pay into the City Treasury of the City of Phoenix therefor, the price and cost of such water so required or desired to be used by them respectively, until and up to the beginning of the then next irrigation season.

Section 2. The City Manager shall cause to be kept a record of the lots and lot owners drawing or using, or to draw or use irrigation water under each lateral and headgate in said West Capitol Addition, under the provisions of this ordinance, and of the amounts of money paid into the City Treasury hereunder, by the lot owners under each lateral and headgate, and shall notify in writing, the proper officials of the United States Reclamation service, to deliver water for irrigation purposes upon the credit of the City, through each such headgate and lateral, up to the amount or amounts so paid for into the City Treasury by the said lot owners under said laterals respectively, and shall further request the said officials of the United States Reclamation Service, that when said allotted portion or amount of water for a particular headgate and lateral, or headgates and laterals, respectively, is exhausted, to thereupon cease further delivery of water

through said headgate or headgates, until further notice from the City Manager, and further requesting the said officials of the United States Reclamation Service to furnish to the City Manager periodical reports of the amount or amounts of water served and delivered to the said lot owners in West Capitol Addition, through each and every headgate and lateral therein, and charged to the credit and account of the City.

Section 3. The City shall not charge or retain any amount or amounts of money to or from the lot owners or occupants in West Capitol Addition respectively, for the service and use of irrigation thereon and therefor, other than the amount or amounts charged to and paid by the City to the United States Reclamation Service therefor; and the City of Phoenix shall not make or incur any expense or expenditures for the keeping up, maintenance and operation of headgates or laterals in West Capitol Addition, or for the distribution and partition of water to and among the various lot owners therein, other than such expense and expenditure as is otherwise herein provided; provided that if the lot owners and occupants under a particular lateral or laterals shall fail, neglect or refuse to keep and maintain the said lateral or laterals clean and in a good state of condition and repair, and free and clear of all weeds, grasses, debris and trash, then the City Manager shall forthwith request the proper officials of the United States Reclamation Service to cease and refrain from the service and delivery of any further irrigation water through the headgate and lateral, until further notice from the City Manager, which said notice shall not be given until after the said lot owners and occupants shall put the said ditch and lateral in good condition and repair and to the satisfaction of the City Manager.

Sec. 4. No person or persons shall obstruct, hinder or impede, or interfere with the flow of water in and through any headgate or lateral in West Capitol Addition, except only officers of the United States Reclamation Service thereunto authorized, and the person or persons occupying, using or cultivating lots lying under and irrigable from a particular lateral or laterals therein, and who has or have paid into the City Treasury the sum or sums of money so estimated as sufficient for the amount or amounts of water required for said lot or lots, during said irrigation season, and any person or persons violating the provisions hereof, shall be guilty of a misdemeanor, and punishable by a fine of not more than ($25.00) Twenty-five Dollars, or by imprisonment in the City Jail for not more than twenty-five (25) days, or by both such fine and imprisonment.

Sec. 5. This Ordinance is intended to confirm, carry out, and render effective, the provisions and terms of Ordinance No. ..... of the City of Phoenix, annexing said West Capitol Addition to the City of Phoenix.

Sec. 6. Whereas, by the terms of this ordinance annexing West Capitol Addition to the City of Phoenix, it

is provided that the persons owning, using and occupying lots in West Capitol Addition, reserve and retain the right to purchase, irrigation water for the irrigation of their said lots, direct from the United States Reclamation Service, and free from the interference or control of the City of Phoenix, and

Whereas, under recent ruling of the Secretary of the Interior, owners of lots, pieces and parcels of land, lying and embraced within the boundaries of an incorporated city, are no longer permitted to deal directly with the United States Government in the purchase of water and water service for said lots, pieces and parcels of land, and

Whereas, on various of the lots in West Capitol Addition there are valuable trees, shrubbery, foliage, flowers, and verdure, all of which requires immediate irrigation and service of water to prevent serious loss thereto, and the provisions of this ordinance are necessary for the immediate preservation of the peace, health and safety of the City.

An emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage by the Commission, and approval by the Mayor, and shall be published as required by the City Charter.

Passed by the Commission of the City of Phoenix, this 24th day of May, 1915.

Approved this 24th day of May, 1915.

GEO. U. YOUNG,
Mayor.

Attest:
T. TREVILLIAN, Acting City Clerk.

ORDINANCE NO. 170.

An Ordinance fixing minimum rates for the City Water service where meters have been installed at the expense of the Water User.

Be it ordained by the Commission of the City of Phoenix as follows:

Section 1. That wherever a water meter shall have been installed within or without the City of Phoenix on any service connection with the City water mains at the expense of the water user, the following minimum rates shall be charged:

For meters with five eighths inch connections, One Dollar and fifty cents per month.

For meters with three-quarter inch connection, One Dollar and seventy-five cents per month.

For meters with one-inch connection, Two Dollars per month.

For meters with one and one-half inch connection, Two Dollars and fifty cents per month.

For meters with two-inch connection, Three Dollars per month.

Sec. 2. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Passed by the Commission of the City of Phoenix this 10th day of January, A. D., 1917.

Approved this 10th day of January, 1917.

PETER CORPSTEIN,
Mayor.

Attest:
FRANK THOMAS, City Clerk.

ORDINANCE NO. 174.

An Ordinance providing for the installation of water meters on all service connections outside of the corporate limits of the City of Phoenix at the expense of the consumer, with an emergency clause.

Whereas, a large number of residents without the corporate limits of the City of Phoenix are being served with water from the Water Department of the City of Phoenix at regular flat rates; and

Whereas, by reason of such residences being situated without the corporate limits of the City, supervision over the use of water by the owners and occupants of such residences is made difficult and in many instances impracticable; and

Whereas, by reason of such fact such non-resident water users consume excessive quantities of City Water for irrigation, watering of stock and other purposes contrary to the Ordinances and rules and regulations of the City of Phoenix, by reason of all of which much more water is furnished to such non-resident water users than actually paid for, resulting in loss to the City on such service; causing a depletion of its water supply and creating a menace through shortage of water in case of fires; and

Whereas, the bonded indebtedness of the City Water Works is a lien and charge upon all of the taxable property within the City of Phoenix, and annual payments required by reason of such bonded indebtedness a burden additional to the water rates collected from residents of the City, and by reason of the fact that non-residents of the City are receiving water service from the City at the same flat rates as charged to the residents within the City, such non-resident water users are receiving such service at a less cost than residents and taxpayers of the City; and

Whereas, it is the judgment of the Commission of the City of Phoenix that the water supply of the City would be conserved, a more economical administration of the City Water Department inaugurated and maintained and the best interests of the residents, taxpayers and citizens of the City served by the regulation and measurement of the water supplied to non-resident water users, and that because of the fact that said non-resident water users are relieved from the burden of said taxation, it is, in the judgment of the Commission, reasonable and proper that said non-resident water users should pay the cost of installing said meters; now therefore,

Be it Ordained by the Commission of the City of Phoenix as follows:

Section 1. That no water shall be furnished by the City Water Department to any consumer without the corporate limits of the City of Phoenix except through a water meter properly installed on the service connection serving such non-resident consumer.

Sec. 2. All such meters shall be installed at the cost and charges of the consumer or owner of the premises to be served, but all such meters shall be maintained, repaired and replaced when necessary at the expense of the City.

Sec. 3. The rates to be charged for such water service shall be the same as now provided by the Ordinances of the City of Phoenix or as hereafter may be adopted.

Sec. 4. The Superintendent of the Water Works is hereby ordered to enforce the provisions of this Ordinance, and he is hereby empowered and ordered to disconnect the water service of any person failing, within fifteen days after this Ordinance shall take effect, to install a meter as provided by this ordinance, and no water shall thereafter be delivered to any non-resident consumer unless a meter shall have been installed as aforesaid.

Sec. 5. Whereas, a shortage of water for the use of residents and citizens of the City of Phoenix and for the purpose of fire control is threatened by reason of the extravagant use of water by non-resident consumers; and

Whereas, it is necessary for the public peace, health and safety of the City of Phoenix that this ordinance become immediately operative; now therefore,

An Emergency is hereby declared to exist, and this ordinance shall be exempted from the provisions of the referendum, and shall be in full force and effect from and after its passage by the Commission, publication and posting as required by law.

Passed by the Commission of the City of Phoenix this 3rd day of February, 1917.

Approved this 3rd day of February, 1917.

PETER CORPSTEIN,
Mayor.

Attest:

FRANK THOMAS, City Clerk.

ORDINANCE NO. 469.

An Ordinance supplemental to Ordinance No. 400, Old Series, regulating the times when sprinkling may be done and in what manner it may be done, and providing penalties for its violation.

Be it Ordained by the City Commission of the City of Phoenix as Follows:

Section 1. No water may be used by consumers for sprinkling purposes except upon alternate days; those consumers whose lots shall front towards the south and east sides of streets or avenues on the uneven days of the month, and those whose lots front towards the north and west sides of streets or avenues on the even days of the month. No sprinkling shall be done except at such hours as may be designated by the Superintendent of Water

Works Dept. No one shall permit any sprinkling or use water for spraying or sprinkling purposes after a fire alarm is sounded until notified by the same way that any such fire is out. No consumer of water shall use the same for sprinkling or irrigation purposes otherwise than by the use of an approved nozzle or spray attachment. All persons, whether on flat rate or meter service, who shall use water for spraying or sprinkling purposes otherwise than as hereinbefore provided shall be subject to having the water turned off from their premises without notice, which may not be turned on again until the usual fee of $1.00 provided for such service has been paid and shall, in addition, be liable to the penalties hereinafter provided for violation of any provision of this Ordinance.

Sec. 2. Any person violating any of the provisions of Section 1 hereof shall be deemed guilty of a misdemeanor and be punishable by fine of not less than Five Dollars nor more than Fifty Dollars, or by imprisonment in the City Jail for not more than ten days, or by both such fine and imprisonment for each offense so committed.

Sec. 3. This Ordinance is supplemental to Ordinance No. 400, Old Series, and is not to be construed as a repeal of any of the provisions of said Ordinance except where the same is inconsistant with any of the provisions thereof.

Sec. 4. That, owing to the present inadequate supply of water available for use by the City within the City, it is necessary for the public health and safety that this Ordinance shall go into effect immediately, an emergency is hereby declared to exist and this ordinance shall take effect and be in force from and after its passage, approval and publication as provided by law.

Passed by the City Commission of the City of Phoenix this Twenty-seventh day of April, 1921.

Approved.

FRED O. ADAMS,
Vice-Chairman.

Attest:
HELEN C. FAHEY,
Deputy City Clerk.

CHAPTER V.

LICENSES.

ORDINANCE NO. 54.

An Ordinance for licensing and regulating the carrying on of certain professions, trades, callings, businesses and occupations carried on within the limits of the City of Phoenix, and providing punishment for violations hereof.

Be it Ordained by the Commission of the City of Phoenix, as follows:

Section 1. It shall be unlawful for any person or persons, firms, associations or bodies corporate, or otherwise, or as officers of any corporation, to carry on any trade, calling, profession, business or occupation in this Ordinance specified, without having first procured a li-

cense from the city so to do, and each and every day or fractional part of a day that any trade, calling, profession, business or occupation in this Ordinance specified is conducted or carried on without such license shall be deemed a misdemeanor, and, except in cases where a different punishment is prescribed by this ordinance, the offender shall be punishable by a fine of not more than two hundred dollars, or by imprisonment in the City Jail for a term of not more than ninety days, or by both such fine and imprisonment; and the amount of such license fee shall be deemed a debt to the City of Phoenix, and such person, firm, association or body corporate, so failing to pay any such license, shall be liable to an action in the name of the City of Phoenix in any court of competent jurisdiction for the amount of the license fee of such trade, calling, profession, business or occupation as he or they shall or may be engaged in, together with all costs of suit.

The language used in this Ordinance shall be defined as follows:

(a) A "transient merchant" within the meaning of this Ordinance shall include every person who, not for or in connection with a business at a fixed place within the City of Phoenix, solicits orders from house to house for future delivery of goods, or who shall deliver goods previously solicited by a solicitor, at retail, on an order for future delivery.

(b) As used in this Ordinance, the terms "peddlers" and "hawkers" shall include solicitors and other vendors not having a permanent place of business in Phoenix and not herein otherwise specifically licensed or permitted to sell any class of good whatsoever.

(c) As used in this Ordinance, the terms "street Vendor" includes all persons engaged in selling in or upon the streets, alleys or vacant grounds within the city, any goods, wares, merchandise or articles, including photographs, and also includes all persons engaged in conducting upon the streets, alleys, or vacant grounds of the city any ring, knife or similar game, or any "faker" business, game or device.

Sec. 2. Application for license herein, or hereafter required, shall be made in writing to the City Collector, which said application shall be as is herein, or may hereafter be, required.

Sec. 3. All licenses issued under the provisions of this Ordinance shall state the person to whom issued, the business calling, occupation, vocation, profession or trade to be followed or carried on, and the place or places at which the same is to be conducted or carried on, and the amount of the license tax or fee therefor, and shall be in the form to be prescribed by the Commission. They shall be signed by the City Collector, who shall make delivery thereof upon receipt by him of the amount therein shown. Duplicates of each original license issued shall also be made, and each applicant receiving an original license shall receipt therefor upon said duplicate, and the City Collector shall, at the close of business of each day,

deliver to the City Treasurer the receipted duplicate of all licenses delivered by him during the course of the day, together with the funds and applications made therefor accompanying same; and shall also keep a full and accurate record and account of all licenses delivered by him and to whom issued and the amount received therefor, in a separate book or file kept for that purpose.

By written consent of the City Manager, any license issued by the City may be assigned or transferred, but any attempted assignment or transfer thereof, without such written consent, shall be void and shall work a forfeiture of such license and of all license fees and taxes paid therefor.

Sec. 4. All licenses shall be paid for in advance in legal money of the United States at the office of the City Collector; and except as otherwise provided shall authorize the person, firm, association or body corporate obtaining it to carry on, pursue or conduct only that trade, calling, profession, business or occupation described in such license, and only at the location or place indicated thereby.

The licenses in this Ordinance provided for single performances or parades or for single days shall be due and payable to the City on the morning and in advance of such show, performance or parade.

The monthly license in this Ordinance provided, or hereafter required, shall be due and payable to the City on the first day of each calendar month.

The quarterly (quarter-yearly) licenses in this Ordinance provided, or that may hereafter be required, shall be due and payable to the city on the first days of July, October, January and April, and all such quarterly licenses shall end with the last days of September, December, March and June, respectively, of each year.

The yearly licenses in this Ordinance provided, or that may hereafter be required, shall commence upon the first day of the quarter in which the same is issued and shall end upon the last day of the third succeeding quarter.

Quarterly licenses procured during quarters shall be pro-rated for that quarter, but no monthly or yearly license shall be pro-rated.

Sec. 5. Every person, firm, association or corporation having a license under the provisions of this Ordinance, or of any Ordinance hereafter adopted, shall place or exhibit the same at all times while in force in some conspicuous place in his, her, their or its place of business, and shall produce or exhibit the same when applying for a renewal thereof or when required so to do by any police officer or by any person charged with the issuance of licenses or the collection of license taxes or fees.

Every peddler or hawker of goods, wares or merchandise, while engaged in peddling or hawking shall carry his license and exhibit it when requested by any police officer or by any officer charged with the issuance of licenses or the collection of license fees or taxes.

Sec. 6. It shall be the duty of all police officers to ascertain and report at once all businesses required to pay license fees and taxes hereunder and which are or may be operating without such license.

Sec. 7. The amount of the license taxes or fees for the trades, calling, professions, vocations and businesses hereinafter named shall be, and the same are hereby established for and within the City of Phoenix, and the same shall be paid by all persons engaged in such trades, callings, professions, vocations and businesses, as follows: to-wit:

Sec. 8. Each person, firm, association or corporation doing an advertising business by means of bill posting, show cards, street car advertising or sign painting, or otherwise, or the distribution of handbills, per quarter annum, $25.00.

Sec. 9. Each person, firm, association or corporation owning, conducting or operating a bowling alley, or a pin alley, per quarter annum, $3.00 per alley.

Sec. 10. Each person, firm, association or corporation owning conducting or operating a billiard hall or room, or a pool hall or room, or keeping or having in his, their or its possession pool or billiard tables for hire, for each table up to five tables, per quarter annum, $3.00; each additional table, per quarter annum, $2.00.

Sec. 11. Repealed by Ordinance No. 326.

Sec. 12. Amended by Ordinance No. 428.

Sec. 13. Amended by Ordinance No. 428.

Sec. 14. Amended by Ordinance No. 428.

Sec. 15. Amended by Ordinance No. 428.

Sec. 16. Each person, firm, association or corporation manufacturing cigarettes, per quarter annum, $25.00.

Sec. 17. Each person, firm, association or corporation owning, operating or conducting any private detective agency, bureau or business, per quarter annum, $15.00.

Sec. 18. Each person, firm, association packing, distributing, handling, hawking or peddling any fruit or fruits, except at the place or in the course of or in connection with some other fixed business or place of business, per quarter annum, $25.00.

Sec. 19. Each hawker, peddler or street vendor for whom no license is herein otherwise provided, per quarter annum, $50.00, provided however, that no license shall be required of hucksters, and that the Commission shall have, and hereby reserves the power, for good cause shown, to grant temporary permits to persons to peddle, hawk or vend upon the streets of the City, peanuts, popcorn, shoe strings, confectionery, ice cream and other similar articles, goods and wares, which said permits when granted, shall be revocable at the will and pleasure of the Commission and without notice.

Sec. 20. Each person, firm, association or corporation hawking, peddling, selling or offering for sale, upon the streets, alleys or other public places of the City of Phoenix, any jewelry, watches, gold, silver or plated ware,

or any fake or deceptive article, device, or thing, per month $150.00.

Sec. 21. Each person, firm, association or corporation owning, maintaining or operating a merry-go-round not in connection with any carnival, per month, $10.00.

Sec. 22. Each person, firm, association or corporation owning, maintaining or conducting any pawnbroker's business or establishment, or loaning on pawns or pledges, per quarter annum, $50.00.

Sec. 23. Each person, firm, association or corporation buying, selling, storing, distributing, handling or dealing in hides, pelts or wool, per quarter annum, $20.00.

Sec. 24. Each person, firm, association or corporation owning, maintaining or operating a steam, electric or other class of railway or railroad, except street railways, per quarter annum, $25.00.

Sec. 25. Transient merchant, $250.00 per annum, in advance.

Sec. 26. Each person, firm, association or corporation owning, maintaining, using or operating any street railway, or any car, track or vehicle for the carriage of freight or passengers upon any street railway from, into, in or within the city, per quarter annum, $25.00.

Sec. 27. Each person, firm, association or corporation owning, maintaining or conducting a theater, a concert hall or place for the exhibition of stock shows, operas, theatrical troupes, vaudeville shows, moving pictures, or kindred entertainments:

(c) For any such theater, concert hall, or place having a capacity of seating not more than two hundred and fifty people, per quarter annum, $12.50.

(b) For any theater, concert hall, or place having a capacity of seating not less than two hundred and fifty nor more than five hundred people, per quarter annum, $17.50.

(c) For ayn such theater, concert hall, or place having a capacity for seating not less than five hundred, nor more than seven hundred and fifty people, per quarter annum, $25.00.

(d) For any such theater, concert hall, or place having a capacity of seating not less than seven hundred and fifty, nor more than one thousand people, per quarter annum, $32.50.

(e) For any such theater, concert hall, or place having a capacity of seating more than one thousand people, per quarter annum, $37.50.

Sec. 28. Each person, firm, association or corporation owning, maintaining, or conducting a public exhibition or entertainment for gain or hire, and for which no license is hereby otherwise provided, for each exhibition, $25.00. Provided, that no license fee or tax shall be required for any exhibition, show or entertainment by a church organization, fraternal order, social organization, school, or by local amateur talent when free, or when the revenue from such entertainment is designed for a charitable, educational or benevolent use.

Sec. 29. Nothing in this Ordinance or any section thereof shall be construed to prevent the actual farmer of any land within the state of Arizona, whether as owner or a lessee, from selling or disposing of the products of the soil produced by him or under his direction or supervision.

Sec. 30. Whereas, the regulation of the businesses and callings for which license is herein required is necessary to promote and preserve the public health, safety and morals of the city; and,

WHEREAS, there is now no Ordinance of the city regulating the aforesaid businesses and callings by license and such regulation is urgently demanded for the best interests of the city and its inhabitants, and it is necessary to render such regulation effective, that the terms of this Ordinance should be effective and in operation at the beginning of the fiscal year commencing July 1, 1915, and it is therefore necessary for the immediate preservation of the peace, health and safety of the city that this Ordinance should become immediately operative and effective.

Now, therefore, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage by the Commission, and approval by the Mayor, and its posting and publication as required by the City Charter.

Passed by the Commission of the City of Phoenix this 29th day of June, 1915.

Approved this 29th day of June, 1915.

GEO. U. YOUNG,
Mayor.

Attest:

T. TREVILLIAN, Deputy City Clerk.

ORDINANCE NO. 167.

An Ordinance requiring permits to be obtained from the City Commission to conduct or operate any pool or billiard hall, or bowling alley, before any person, firm, association or corporation may obtain licenses therefor providing for the revocation of such permits.

Be it ordained by the City Commission of the City of Phoenix, as follows:

Section 1. That before the City Collector may issue any license to any person, firm, association or corporation, to conduct or operate any pool or billiard hall or room or any bowling alley within the City of Phoenix, such person, firm, association or corporation must first obtain a permit to conduct or operate such pool or billiard hall or room or bowling alley from the City Commission, and any such permit may be revoked at any time at the will and pleasure of the City Commission, which revocation shall operate to annul such license at the date thereof.

Sec. 2. WHEREAS, it is necessary in order to promote and preserve the public health, safety and morals of the city, that this Ordinance be made effective at once;

Now, therefore, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage by the commission and approval by the Mayor and its posting and publication as required by the City Charter.

Passed by the Commission of the City of Phoenix this 27th day of December, 1916.

Approved this 27th day of December, 1916.

PETER CORPSTEIN,
Mayor.

Attest:
FRANK THOMAS, City Clerk.

ORDINANCE NO. 428.

Providing for the licensing of circuses, menageries, animal shows, carnivals and other entertainments; repealing Sections 12, 13, 14 and 15 of Ordinance No. 54, New Series, of the City of Phoenix, entitled, "An Ordinance for licensing and regulating the carrying on of certain professions, trades, callings, businesses and occupations carried on within the City of Phoenix, and providing punishment for the violation thereof."

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. For each person, firm, association or corporation owning, maintaining, presenting or conducting a circus or menagerie where an admission fee is collected under regulations governed by United States Revenue laws regulating admission war tax, the license fee shall be for all circuses, menageries or traveling tent shows, one hundred fifty dollars ($150) per day up to and including all shows where twenty (20) railway cars are required for transportation. All shows of twenty (20) to twenty-five (25) cars, two hundred dollars ($200) a day; shows of twenty-five to thirty (25 to 30) cars, three hundred dollars ($300) a day, and all traveling menageries, circuses, and wild animal exhibitions of thirty (30) cars or more, five hundred ($500) per day. A license fee of five hundred dollars ($500) per day is also required of each of said shows for the privilege of parading the streets where the traveling organization selects show grounds outside of the city limit.

Parade license shall not be required where the show or firm pays the provided city license.

It is further provided that all such shows or organizations shall pay an additional license fee of fifty ($50) per day for each and every side show, Black Top or added attraction where a separate admission fee is collected.

Sec. 2. Each person, firm, association or corporation, owning, maintaining, conducting or presenting any so-called dog and pony show or exhibition of domestic or wild trained animals, where an admission fee is charged, as provided for in regulations laid down by the United States Government Internal Revenue Laws governing war tax admissions shall pay a license for showing of one hundred dollars ($100) per day; and for each side show

menagerie, annex, Black Tops, or special added attraction where a separate admission fee is charged in addition to the regulation admissions asked and obtained at the gate of the main show, an additional twenty-five dollars ($25) a day license will be collected from each attraction.

Where the show or attraction selects lot or show grounds outside of the city limit, a fee of one hundred dollars ($100) per day in advance for the parade on city streets is provided.

Sec. 3. For each person, firm, association, or corporation, owning, maintaining, conducting or presenting a carnival, the following license will be collected in advance:

One hundred dollars ($100) per day for the carnival, to be paid by the owner or owners of the organization, and an additional fee of twenty-five dollars ($25) per day for each and every separate show, attraction or exhibition carried on by the carnival company This twenty-five dollars ($25) a day license to cover each Ferris wheel, merry-go-round, whip, or any other riding devices. It is also made to cover attractions such as Old Plantations, Illusions, Pharoah's Daughter shows, Well shows, "Three in One," "Five in One," or any other number of freaks or attractions grouped under similar headings, together with all dancing shows, negro minstrels, so-called girl shows, "Forty-nine Camps," and other similar attractions carried by traveling carnival organizations.

It is further provided that no carnival company traveling organization not playing a regular licensed theater or auditorium may avoid the collection of the herein mentioned license fees by advertising as being presented under the auspices of local organizations or societies; provided, however, that the Commission may, in its discretion, exempt musical, dramatic and other similar entertainments, including lectures, from the licenses herein provided, whether such entertainment occupy a regularly licensed theater or auditorium or not, when such entertainment is put on by or for the benefit of some local organization or society not organized for profit.

It is provided that where traveling organizations desire to affiliate with local organizations, the license herein provided for attractions listed shall obtain and shall be paid by the owner or owners, persons or individuals conducting such carnivals. In the event any such carnival shall show on grounds outside of the city limits, it shall be the duty of the license collector to assess all parades, bands, concerts, or any other method used to attract attention to such traveling organization on the streets of the city, a license of one hundred dollars ($100) per day.

It is further provided that all tent shows not appearing in a regular licensed theater, including minstrel, vaudeville, dramatic, operatic, specialty companies or organizations presenting acts, or individuals, where admission fees are charged, as provided for under regulations by the United States Internal Revenue Laws governing admission

tax, a license fee of one hundred fifty dollars ($150) per day in advance shall be collected.

It is further provided that no organization of the kind or character mentioned in this provision shall report to advertising its attraction in the city under the auspices of local associations, societies, or individuals for the purpose of avoiding this license fee provided.

Sec. 4. No carnival, circus, menagerie or tent shows of any kind or nature whatsoever, shall give or hold any performance of such show either for paid admission or otherwise, on Sunday.

Sec. 5. No carnival, circus, menagerie, or other tent show, of any kind or nature whatsoever, or any entertainment, or religious revival, or meeting, occupying a tent, shall be permitted within the fire limits; and no carnival, circus, menagerie, or other show, attraction or entertainment, shall be at any time permitted to show within the limits of the City of Phoenix, wherein are conducted any games, either of the nature of games which may be classed as games of skill or games of chance, where anything of value changes hands, or prizes are issued or given on chances for value received or otherwise.

Sec. 6. Sections 12, 13, 14 and 15, of Ordinance No. 54, New Series, of the City of Phoenix, entitled, "An Ordinance for licensing and regulating the carrying on of certain professions, trades, callings, businesses and occupations carried on within the limits of the City of Phoenix and providing punishment for the violation thereof," and all Ordinances and parts of Ordinances in conflict herewith, are hereby repealed.

Sec. 7. Any person, firm or corporation, violating the provisions of this Ordinance, shall be punished by a fine not to exceed three hundred dollars ($300), or by imprisonment in the City Jail for a period not to exceed six (6) months, or by both such fine and imprisonment.

Sec. 8. WHEREAS, it is necessary to the peace, health and safety of the City of Phoenix that this Ordinance become immediately operative, an emergency is hereby declared to exist and this Ordinance is hereby exempted from the provisions of the referendum and shall be in full force and effect from and after its passage by the Commission, approval by the Mayor, and posting and publication as by law required.

Passed by the Commission this 10th day of November, 1920.

Approved this 10th day of November, 1920.

WILLIS H. PLUNKETT,
Mayor.

Attest:

FRANK THOMAS, City Clerk.

CHAPTER 6.

ELECTIONS.

ORDINANCE NO. 117.

An Ordinance making it unlawful for any candidate for nomination or election to any office of the City of Phoenix to solicit from employees or officers of the City of Phoenix any money, promise or other thing of value for the purpose of defraying the expenses of or furthering the nomination of election of such candidate; making it unlawful for any employee or officer of the City of Phoenix to contribute any money, promise or other thing of value, for the purpose of defraying the expenses of or furthering the nomination or election of any candidate for nomination or election to any office of the City of Phoenix; making it unlawful for any officer or employee of the City of Phoenix, to in any manner intimidate any employee of the City of Phoenix in the exercise of his franchise or to in any manner solicit or influence the vote of any employee or officer of the City of Phoenix, in favor of any candidate for nomination or election to any office of the City of Phoenix, and providing penalties therefor.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. It shall be, and it hereby is made unlawful for any candidate for nomination or election to any office of the City of Phoenix to solicit or receive, either directly or indirectly, from any officer or employee of the City of Phoenix, any money, or other thing of value whatever, for the purpose of defraying the expenses of or furthering such candidate's nomination or election, either in any primary or general election, for nomination for or election to office.

Sec. 2. It shall be, and it hereby is made unlawful for any officer or employee of the City of Phoenix to contribute either directly or indirectly any money, promise or other thing of value whatever for the purpose of defraying the expenses of or furthering the nomination or election of any candidate, either in any primary or general election for nomination for or election to any office of the City of Phoenix.

Sec. 3. It shall be, and it hereby is made unlawful for any officer or employee of the City of Phoenix to become a member of any organization, combination or association organized for the purpose of furthering the election of any candidate for the office of the City of Phoenix or the nomination of any candidate for such office.

Sec. 4. It shall be, and it hereby is made unlawful for any officer or employee of the City of Phoenix to influence or attempt to influence, directly or indirectly,

by force, violence or restraint, or by inflicting or threatening to inflict any injury, damage, harm, or loss, or by discharging from employment or promoting in employment or by intimidation or otherwise in any manner whatever to induce or compel any officer or employee of the City of Phoenix to vote or refrain from voting for any particular person or persons for nomination or election to any office of the City of Phoenix.

Sec. 5. Any person, officer or employee of the City of Phoenix violating any of the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction shall be punished by a fine not to exceed $300.00 or by imprisonment in the City Jail for a period not to exceed six months or by both such fine and imprisonment, and in addition to such punishment shall be disqualified to further hold any employment or office of the City of Phoenix, and any candidate for office found guilty of violating the provisions of this Ordinance shall be disqualified from holding any office of the City of Phoenix to which he may be elected.

Passed by the Commission of the City of Phoenix this 1st day of March, 1916.

Approved this 1st day of March, 1916.

GEO. U. YOUNG,
Mayor.

Attest:
FRANK THOMAS, City Clerk.

ORDINANCE NO. 209.

An Ordinance providing the time of holding primary and general elections in the City of Phoenix, prescribing qualification of electors, providing for election precincts and Boards of Election; the Conduct of elections, providing forms of poll lists and tally lists, providing methods of voting and challenging at such elections, canvassing and returning the vote, the canvass of returns, declaration of the result, commissions and certificates of election, and repealing all Ordinances in conflict therewith; with an emergency clause.

CHAPTER I.

TIME OF HOLDING AND GENERAL PROVISIONS.

Section 1. There shall be a general municipal election held in the City of Phoenix in each and every year on the first Tuesday in April, notice whereof shall be given the public by publication in the official newspaper of a proclamation by the mayor, which said proclamation shall contain the date of the holding of said election, the various places in the city where such election shall be held and the offices to be voted for.

Sec. 2. The person receiving at such election the highest number of votes for any office to be filled at such election shall be elected thereto.

Electors shall be privileged from arrest except for an

indictable offense during their attendance on the election and in going to and returning from the same.

No elector is obliged to perform Militia duty on the day of election except in time of War or public danger.

No fees shall be charged the elector for registration or for certificates thereof.

The compensation of members of boards of election and clerks shall be fixed by the Commission and paid out of the City Treasury.

The necessary printed blanks for poll lists, tally lists, lists of voters, oaths and returns, shall be furnished by the Commission to the officers of each election precinct at the expense of the City.

CHAPTER II.

QUALIFICATIONS OF ELECTORS

Amended by Ordinance No. 330.

CHAPTER III.

ELECTION PRECINCTS

Section 1. There shall be at least four election precincts in the City and such precincts shall be such as are now, or may hereafter be bounded and described by Ordinance of the Commission.

Sec. 2. The Commission must, at least ten days prior to an election, issue its order designating the house or place within each precinct where the election shall be held, and such order shall, in addition thereto, contain the names of the various officers, clerks and marshal of the Election Board of such precinct.

CHAPTER IV.

BOARD OF ELECTION

Sec. 1. When an election is ordered, the Commission must appoint for each precinct from the electors thereof, one inspector and two judges, who shall constitute a Board of Election for such precinct, and, in addition to said Board, it shall also appoint two clerks and one marshal. Such clerks and marshal, shall be qualified electors of such precinct.

Sec. 2. The inspector shall be Chairman of the Election Board and may:

1. Administer all oaths required in the progress of an election.
2. Appoint judges and clerks if, during the progress of the election, any judge or clerk ceases to act, or if, at the time of the opening of the polls, any judge or clerk fails to appear.

Sec. 3. Any member of the Board may administer and certify oaths required to be administered during the progress of an election.

Sec. 4. Before opening the polls, each member of the Board and each clerk and marshal must take an oath

to faithfully perform the duties imposed upon him by law.

Any qualified voter of the City may administer and certify such oath.

Sec. 5. Before opening the polls, the Board must post in some convenient place, easy of access, not less than two printed copies of the Great Register of the City as last printed, and the copies so posted must be maintained during the whole time of voting and must not in any manner be torn or defaced.

CHAPTER V.

OFFICIAL BALLOTS

The form of ballot, the mode of printing and distribution thereof, shall be as provided by Sections 8, 9, 10, 11, 12, 13, of Chapter XII of the City Charter; provided, however, that the City Clerk shall not be required to cause to be printed official ballots in a number in excess of one and one-half times the number of electors contained in the Great Register.

CHAPTER VI.

CONDUCT OF ELECTIONS

Sec. 1. On the opening of the polls at each polling place, the presiding officer shall produce the package of official ballots and publicly open and deliver one book or block of ballots therein contained to the Ballot Clerks hereinafter provided for.

The other book or blocks of ballots, if any, shall be retained by the presiding officer until they are called for by the Ballot Clerks and needed for the purpose of voting.

The City Clerk shall cause the polling places to be suitably provided with a sufficient number of voting booths or compartments furnished with convenient shelves on which voters may conveniently mark their ballots, and in the marking thereof, be screened from the observation of others, and such booths shall be supplied with pencils to enable the voter to prepare his ballot for voting. The polling place shall be so arranged that neither the ballot box nor the voting booths shall be hidden from the view of any person within the room. Each booth or compartment shall be at least three feet square and contain a shelf at least one foot wide extending across one side of such booth or compartment at a convenient height for writing. No person other than the election officers and voters admitted as hereinafter provided, shall be permitted within the room during the hours of voting, except by authority of the election officers for the purpose of keeping order and enforcing the law.

The City Clerk shall also furnish for each polling place the required ballot boxes, with locks, which shall be large enough to properly receive and hold the ballots cast in conformity with the provisions of this Ordinance.

Sec. 2. Amended by Ordinance No. 330.

Sec. 3. On receipt of his ballot, the voter shall forthwith and without leaving the polling place, retire alone to one of the booths or compartments not occupied by any other person, and prepare his ballot by marking in the appropriate place a cross (X) opposite the name of the candidate of his choice for each office to be filled, or by filling in the name of the candidate of his choice in the blank space provided therefor and marking a cross opposite thereto; and in case of a question submitted to the vote of the people, by marking in the appropriate margin or space a cross (X) against the answer which he desires to give. Before leaving the booth or room, the voter shall fold his ballot lengthwise and crosswise, in such a way that the contents of the ballot shall be concealed and the stub can be removed without exposing any of the contents of the ballot, and shall keep the same folded until he has delivered the same to the election officers as in this section provided; he shall then forthwith proceed out of the room in which the election is being held and shall not again enter therein during the poll unless he be an election officer. No voter shall be allowed to occupy a voting booth or room for more than five minutes, when other voters are waiting to occupy the same. No inspector shall receive any ballot from any voter unless the stub remains attached to the ballot.

Sec. 4. No person shall take or remove any ballot from the polling place before the close of the polls. If any voter spoil a ballot he may successively obtain others, one at a time, not exceeding three in all, upon returning each one spoiled. The ballots thus returned shall be immediately cancelled, and, together with those not distributed to the voters, shall be reserved and shall be secured in sealed packages and returned to the City Clerk. Should any elector be unable on account of physical disability, to mark his ballot, he may request the Board of Election to mark his ballot in accordance with his wishes. If the voter marks more names than there are persons to be elected to an office, or if for any reason it is impossible to determine the voter's choice for any office to be filled, his ballot shall not be counted for such office. No ballot without the official endorsement shall, except as herein otherwise provided, be allowed to be deposited in the ballot box and none but ballots provided in accordance with the provisions of this Ordinance shall be counted. Ballots not counted shall be marked "defective" on the back thereof and be preserved and returned to the City Clerk.

In case the ballots to be furnished for any voting place and in accordance with the provisions of this Ordinance shall fail for any reason to be delivered, or in case, after delivery, they shall be destroyed or stolen, it shall be the duty of the presiding officer aforesaid to cause other ballots to be prepared substantially in the form of the ballots so wanting to be furnished; and upon delivery of such ballots at the polling places by him, accompanied by his statement, under oath, that the same had been prepared and furnished by him, and that the original

ballots have so failed to be received, or have been destroyed or stolen, the ballot clerk shall cause the ballots so substituted to be used in lieu of the ballots wanting as above and the statement made under oath herein provided for, shall be delivered to the City Clerk, who shall record the same.

Sec. 5. Any voter who shall, except as herein otherwise provided, allow his ballot to be seen by any other person with the intention of disclosing the manner in which he has voted or is about to vote, or who shall make any false statement as to his inability to mark his ballot, or any person who shall interfere with any voter, inside of the voting place, or who shall within the room in which the voting is proceeding, endeavor to induce any voter to vote for any particular candidate, shall be guilty of a misdemeanor and upon conviction thereof be punished by a fine of not less than Twenty nor more than Fifty Dollars or by imprisonment in the City Jail for a period of not less than Ten, nor more than Twenty-five days and it shall be the duty of the election officers of such precinct to see that the offender is duly brought before the City Court for the enforcement of the provisions of this section.

Sec. 6. Any person who shall, prior to an election, wilfully deface or destroy any list of candidates posted in accordance with the provisions of this chapter, or who, during an election, shall wilfully deface, tear down, remove or destroy any card of instructions posted for the instruction of voters, or who shall during election, wilfully remove or destroy any of the supplies or conveniences furnished to enable a voter prepare his ballot, or shall wilfully hinder the voting of others, shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not less than Twenty, nor more than Fifty Dollars or imprisonment in the City Jail for a period of not less than ten, nor more than twenty-five days.

Sec. 7. Any public officer upon whom a duty is imposed, who wilfully neglects to perform such duty, or who shall wilfully perform it in such way as to hinder the purposes of this Ordinance, shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of Two Hundred Dollars or by imprisonment in the City Jail for a period of One Hundred Eighty Days.

Sec. 8. Before opening the polls, the Election Marshal shall post three notices about fifty feet from the entrance of the building in different directions, in which the election is being held, which notices shall read: "Fifty Feet," and except for the purpose of voting, no other person shall be allowed to remain inside these limits while the polls are open except before mentioned election officials and not more than one representative of each candidate represented on the ballot, and voters having cast their ballot shall at once retire without the fifty-foot limit.

The City Clerk shall furnish with the ballots for each precinct or polling place, five notices as required by this section which shall be printed on muslin in letters not less

than two inches in height. Any person violating any of the provisions of this section shall be guilty of a misdemeanor.

Sec. 9. The polls shall be opened in every precinct at the hour of six o'clock A. M., on the day of election and shall be closed at six P. M. of said day. The inspector shall cause the election marshal to make proclamation of the opening of the polls, and shall also cause the election marshal to make proclamation of the closing thereof one hour, thirty minutes and fifteen minutes before time of closing, and also at the moment of its closing; provided, that any and all persons who may at the moment of closing be inside of any booth making out a ballot preparatory to voting, shall be allowed five minutes to fill out and deposit said ballot, the same as if the polls were still open, and any person actually within the room for the purpose of voting shall be allowed to procure his ballot and vote the same.

Sec. 10. Before receiving the first ballot after the opening of the polls, the board shall, in the presence of all persons then assembled at the polling place, open and exhibit the interior of the ballot box and close and lock the same; and thereafter it must not be removed from the polling place or the presence of the bystanders until all the ballots are counted nor shall it be again opened until after the final closing of the polls.

CHAPTER VII.

POLLING LISTS

Sec. 1. The following is the form of polling lists and tally lists to be kept by the clerks of election:

POLLING LISTS.

of the election held at the .....Precinct, City of Phoenix, on the ..... day of ....., in the year One Thousand Nine Hundred and ....., ..., Inspector, ... and ....., Judges, and..... and ..... clerks of said election, were respectively sworn, as the law directs, previous to their entering on the duties of their respective offices.

NUMBER AND NAME OF ELECTORS VOTING.

No.	Name	No.	Name
1	———	3	———
		4	———

We hereby certify that the number of electors voting at this election amounts to .....

.....

.....

.....

Board of Election.

Attest:

.....

.....

Clerks.

TALLY LISTS.

Sec. 2. The tally lists shall be made up in the following form:

Names of persons voted for, and for what office, containing the number of votes given for each candidate.

Names of Office—Candidate Voted for.	Tally of Votes	Total Vote
For Mayor		
Name		
Name		
For Commissioner		
Name		
Name		

We hereby certify that ..... had ..... votes for ..... etc., etc.

.....

.....

.....

Board of Election.

.....

.....

Clerks.

Sec. 3. No lists, tally, paper or certificate returned from any election shall be set aside or rejected for want of form, nor on account of its not being strictly in accordance with the directions of this chapter of Ordinance, if it can be clearly understood.

Sec. 4. If the names of more persons are designated on any ballot found in the ballot box for the same office than are to be chosen for such office, then, except in the cases provided for in the next section, all the names designated for such office must be rejected, and the fact of such rejection, and the reasons therefor, must at the time of such rejection, be noted on the ballot and signed by a majority of the Election Board.

Sec. 5. When upon a ballet found in the ballot box a printed name and a name written with ink or pencil appears, and there are not so many persons to be chosen for the office, the printed name must be rejected and the written one counted, and the fact must at that time be noted on the back of the ballot and signed by a majority of the election board. If a ballot be found in any ballot box containing the name of the person and the office for which he is designated, or either, two or more times, it must not for that reason be rejected; it must be counted as one ballot.

Sec. 6. When a ballot found in any ballot box bears upon it any impression, device or color, or thing, by which such ballot might be identified, or is folded in a

manner intended to designate or impart knowledge of the person who voted such ballot, it must with all its contents be rejected.

Sec. 7. Whenever the Board of Election rejects a ballot, it must, at the time of the rejection, cause to be made thereon, and signed by a majority of the Board, an indorsement of such rejection and the causes thereof.

Sec. 8. All rejected ballots must be preserved and returned in the same manner as other ballots.

Sec. 9. Whenever a question arises in the Board as to the legality of a ballot, or any part thereof, and the Board decide in favor of the legality, such action, together with a concise statement of the facts that give rise to the objection must be indorsed upon the ballot and signed by a majority of the Board.

CHAPTER VIII.

VOTING AND CHALLENGING

Sec. 1. Voting may commence as soon as the polls have been declared open; and may be continued during all the time the polls remain open.

Sec. 2. The person offering to vote must hand his ballot to the inspector, or to one of the judges acting as inspector, and announce his name in a clear, audible voice.

Sec. 3. The Inspector, or Judge acting as such, must receive the ballot, and before depositing it in the ballot box, must, in an audible tone of voice, announce the name of the person voting.

Sec. 4. If the name be found on the copy of the Great Register, and he is a resident of the precinct, and the vote is not rejected upon a challenge taken, the inspector, or judge acting as such, must, in the presence of the Board of Election, place the ballot, without its being opened or examined, in the ballot box.

Sec. 5. When the ballot has been placed in the box, one of the judges must write the word "voted" opposite the number of the person on the printed copy of the Register.

Sec. 6. Each clerk must keep a list of persons voting and the name of each person who votes must be entered thereon and numbered in the order of voting.

Sec. 7. Any person offering to vote may be orally challenged by any elector of the City upon either or all of the following grounds:

1. That he is not the person whose name appears on the Register.
2. That he has not resided within the State for one year next preceding the election.
3. That he has not resided within the City for ninety days next preceding the election, or has not resided within the precinct for ten days next preceding the election.
4. That he has already voted that day.
5. That he has been convicted of a felony.

6. That he has made a bet on the result of the election.
7. That not being prevented by physical disability from so doing, he is unable to read the Constitution of the United States in the English language in such manner as to show that he is neither prompted nor is reciting from memory, or is unable to write his name.

Sec. 8. Upon challenge being made, the one so challenged may, if he so elect, be at once sworn to answer fully and truly all such questions as may be put to him by the inspector; provided such questions are pertinent and material to the challenge made; and if, after such examination, a majority of the Board shall be satisfied that the challenge is not true, the one challenged shall be permitted to vote, otherwise not.

Sec. 9. If the challenge be determined against the person offering to vote, the ballot offered must, without examination, at once be destroyed in his presence by the inspector; if determined in his favor the ballot must be deposited in the ballot box.

Sec. 10. If any person challenged refuses to take the oath tendered, or refuses to be sworn and answer the questions touching the matter of residence he must not be allowed to vote.

Sec. 11. The Election Board, in determining the place of residence of any person must be governed by the following rules, so far as they are practicable:

1. That the place must be considered and held to be the residence of a person in which his habitation is fixed and to which, whenever he is absent, he has the intention of returning.
2. A person must be held to have gained or lost his residence by reason of his presence in or absence from a place while employed in the service of the United States, or of the State, or while engaged in navigation, or while a student at an institution of learning.
3. A person shall not be considered to have lost his residence who leaves his home to go into another state or territory, or county, or city of this state for temporary purposes merely, with the intention of returning.
4. A person shall not be considered to have gained a residence in this city when he comes for temporary purposes merely, without the intention of making this city his home.
5. If a person removes to another state or territory, or county or city within this state, with the intention of making it his residence, he loses his residence in this city.
6. If a person removes to another state or territory, or county or city within this state, with the intention of remaining there for an indefinite time, and as a place of transient residence, he

loses his residence in this city, notwithstanding he entertains the intention of returning at some future period.

7. The place where a man's family resides must be held to be his residence; but if it be a place of temporary establishment for his family, or for transient purposes, it is otherwise.
8. If a man have a family fixed in one place and he does business in another, the former must be considered his place of residence; but any man having a family, and who has taken up his abode in this city with the intention of remaining, and whose family does not so reside with him, must be regarded as a resident of this city.
9. The mere intention of acquiring a new residence without the fact of removal, avails nothing; neither does the fact of removal without the intention.
10. The term of residence must be computed by including the day on which the person's residence commenced and by excluding the day of election.

Sec. 11. Before administering an oath to a person touching his place of residence, the inspector must, if requested by any person read to the person challenged the rules prescribed herein.

Sec. 12. The board must cause one of the clerks to keep a list showing:

1. The names of all persons challenged.
2. The ground of such challenge.
3. The determination of the board upon the challenge.

CHAPTER IX.

CANVASSING AND RETURNING THE VOTE.

Section 1. As soon as the polls are finally closed, the judges must proceed to canvass the votes given at such election. The canvass must be public, in the presence of bystanders, and must be continued without adjournment until completed and the result thereof is declared.

Sec. 2. The canvass must be commenced by taking out of the box the ballots unopened (except so far as to ascertain whether each ballot is single), and counting the same to ascertain whether the number of the ballots corresponds with the number of names on the list of voters kept by the clerk.

Sec. 3. If two or more separate ballots are found so folded together as to present the appearance of a single ballot, they must be laid aside until the count of the ballots is completed; then, if, upon comparison of the count with the number of names of electors on the lists which have been kept by the clerks, it appears that two ballots thus folded together were cast by one elector, they must be destroyed; provided, however, that should one of such ballots be marked in the manner as provided by law, and the other ballot be blank, the blank ballot only shall be destroyed and the marked ballot shall be counted.

Sec. 4. If the ballots in the box are still found to exceed in number the names on the lists they must be replaced in the box and one of the judges must publicly and without looking in the box, draw out therefrom, singly, and destroy, unopened, a number of ballots equal to such excess, and the board of election must record on the poll lists the number of ballots destroyed.

Sec. 5. The number of ballots agreeing or being thus made to agree with the number of names on the lists, the lists must be signed by the members of the board and attested by the clerks and the number of names thereon must be set down in words and figures at the foot of each list, and over the signatures of the judges and attestation of the clerks.

Sec. 6. After the lists are thus signed the board must proceed to count and ascertain the number of votes cast for each person voted for. The ballots must be taken out and opened by one of the members of the board, and the ticket must be distinctly read.

Sec. 7. Each clerk must write down each office to be filled and the name of the person voted for to fill such office, and the measure or measures submitted to the people to be voted upon, and must keep the number of votes by tallies as they are read aloud.

Sec. 8. The ballots, as soon as read, or rejected for illegality, must be strung on a string by one of the judges, and must not thereafter be examined by any person, but must, as soon as all are counted, be carefully sealed in a strong envelope, each member of the board writing his name across the seal.

Sec. 9. As soon as all the votes are counted, and the ballots sealed up, the lists must be attached to the tally lists containing the names of the persons voted for, and for what office, and the number of votes for each candidate, and a list of the measures voted upon and the number of votes given for or against each measure, the number being written at full length, and such lists must be signed by the members of the board and attested by the clerks in the manner substantially in the form given in Chapter VII of this Ordinance.

Sec. 10. The board must, before it adjourns, enclose in a cover, and seal up and direct to the City Clerk, the copy of the register upon which one of the judges marked the word "Voted" as the ballots were received, one of the lists of the persons challenged, one copy of the list of voters, and one of the tally lists and lists attached thereto, and the stubs of the voted ballots.

The board must also, immediately upon sending the list provided in the preceding section, transcribe upon a certificate, which, together with an appropriate envelope for the same, shall be supplied all election boards by the City Clerk, the result of the election, setting opposite the name of each candidate the total vote for such candidate, and opposite the number of each measure voted upon the vote for and against such measure, and deliver such certificate so filled out in a separate envelope to the City

Clerk. Such certificate shall be signed by the inspector and attested by the clerks.

Sec. 11. The inspector must retain, open to the inspection of all electors, for at least six months, the other list of voters, tally list and list attached thereto.

Sec. 12. Sealed packages containing the register, lists, papers and ballots must, before the board adjourns, be delivered to one of its number selected by it by lot or agreement.

The member to whom such packages are delivered must, without delay, deliver such packages to the City Clerk, who shall endorse on such packages the name of the party delivering them, and the date of such delivery.

Upon receipt of the packages, the City Clerk must deposit in some safe place to be selected by him, the one containing the ballots, and it must be kept unopened and unaltered for six months, after which time, if no contest is commenced, he must burn the package, without opening or examining the contents.

If, within six months, a contest is commenced, the City Clerk must keep the package, unopened and unaltered, until it is finally determined, when he must, as in this section provided, destroy it, unless such package is, by virtue of an order of the court or tribunal in which the contest is pending, brought and opened before it to the end that evidence may be had of its contents, in which event the package and contents are in the custody of such tribunal.

The other package, the City Clerk must produce before the City Commission when it is in session for the purpose of canvassing the returns.

Sec. 13. As soon as returns are canvassed, the Clerk must file the copies of the Register in his office.

CHAPTER X.

CANVASS OF RETURNS—DECLARATION OF THE RESULT—COMMISSIONS AND CERTIFICATES OF ELECTION.

Sec. 1. The Mayor and Commission shall be the canvassing board, which shall meet on the first Tuesday after the election and canvass the votes and announce and declare the result of the election.

Sec. 2. The canvass must be made in public, and by opening the returns and estimating the vote of each precinct for each person voted for, and for and against each proposition voted upon at such election and declare the result thereof. The City Clerk must, as soon as the result is determined, enter in the Minutes of the Commission a statement of such result, which statement must show:

1. The whole number of votes cast in the city;
2. The names of the persons voted for and the propositions voted for;
3. The office to fill, which each person was voted for;

4. The number of votes given at each precinct to each of such persons, and for and against each of such propositions;
5. The number of votes given in the city to each of such persons and for against each of such propositions.

Sec. 3. The Commission must declare elected the person having the highest number of votes given for each office to be filled, and must declare according to the vote given each proposition either for or against such proposition whether such proposition carried or was defeated.

Sec. 4. The City Clerk shall immediately make out and deliver to or send to the person declared elected at such canvass a certificate of election, which shall be signed by the Mayor and attested by the City Clerk.

Sec. 5. No declaration of the result or any certificate shall be withheld on account of any defect or informality in the returns of any election, if it can with reasonable certainty be ascertained from such returns what office is intended and who is elected thereto or which proposition was intended or carried or was defeated.

CHAPTER XI.

PRIMARY ELECTIONS.

The primary election for the nomination of officers to be voted upon at the general election shall be held not less than thirty days prior to the holding of the general election herein provided for; and the mode of nomination of elective officers to be voted for at the general election and the manner of holding such election shall be as provided by Chapter XII of the City Charter.

CHAPTER XII.

Section 1. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Sec. 2. WHEREAS, under and by virtue of the provisions of the Charter of the City of Phoenix, a primary election for the nomination of candidates to be voted for at a general election to be held on the first Tuesday in April, 1918, shall be held thirty days prior to the holding of said general election; and,

WHEREAS, there is no law providing for the registration of voters and the conduct of such elections;

NOW, THEREFORE, an emergency is hereby declared to exist, and this Ordinance shall be exempted from the provisions of the referendum and shall be in full force and effect from and after its passage by the Commission and publication and posting as provided by law.

Passed by the Commission of the City of Phoenix this 14th day of January, 1918.

Approved by the Mayor this 14th day of January, 1918.

PETER CORPSTEIN,
Mayor.

Attest:
FRANK THOMAS, City Clerk.

ORDINANCE NO. 330.

An Ordinance amending Chapter Two (2) and Section Two (2) of Chapter Six (6) of Ordinance No. 209 (New Series), of the City of Phoenix, entitled, "An Ordinance providing the time of holding Primary and General Elections in the City of Phoenix, prescribing qualifications of electors, providing for election precincts and boards of election; the conduct of elections, providing forms of poll lists and tally lists, providing methods of voting and challenging at such elections, canvassing and returning the vote, the canvass of returns, declaration of the result, commissions and certificates of election, and repealing all Ordinances in conflict therewith; with an emergency clause."

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. That Chapter Two (2) of Ordinance Number 209, New Series, of the City of Phoenix, be and the same is hereby amended to read as follows:

Section 1. There shall be kept in the office of the City Clerk a Great Register, which shall be opened to the inspection and examination of all persons. Such register shall consist of one or more volumes well bound, and shall be ruled and printed to contain the matter as in Section Three (3) of this chapter set forth and shall have printed at the head hereof the title, "Great Register of the City of Phoenix, Maricopa County, Arizona."

The City Clerk shall before proceeding to register electors suitably divide his Great Register into as many parts as there are elective precincts in the city.

There shall be one registration book, bound in tag board for each election precinct in the city called "the Precinct Register for ————Precinct, City of Phoenix," so as to facilitate registering the electors in the precincts in alphabetical order according to surnames. The paper size of pages, ruling and printing shall be the same as used for the Great Register.

Sec. 2. Prior to any election at which a Mayor is to be elected, the Commission shall by order require a registration of the qualified voters of the city, which order shall be published in the official newspaper for not less than sixty days preceding such election.

Sec. 3. At each registration of electors, the City Clerk must enter on the Great Register in alphabetical order the name of each elector registered, and must also register each person applying for registration who will be a qualified voter at the time of the next ensuing election.

The registration entry must show:

1. The name in full of each registered voter.

2. The sex of the voter, and that he or she is twenty-one years of age or over.

3. Place of nativity.

4. Place of residence by street and number.

5. If not a native of the United States, the time and place of naturalization.

6. Whether on the tax roll of said city or not.

7. Date of the entry on the register.

8. Each name must be numbered of its entry.

A blank shall be left in front of each name, headed "voted."

Sec. 4. No person's name shall be entered upon such Great Register by the City Clerk unless:

Before any one applying for registration can be registered, he must make an affidavit in writing before the registering officer, wherein must be stated and shown each and every fact entitling such person to be registered, and also the facts required to be stated on the Great Register, except the date and number; and no person shall be registered who, not being prevented by physical disability from so doing, is unable to read the Constitution of the United States in the English language in such manner as to show that he is neither prompted nor reciting from memory or unable to write his name.

Sec. 5. The City Clerk shall file and preserve all affidavits made for the purpose of registration for a period of two years.

Sec. 6. There must be left opposite each name of the Great Register a blank for cancellation. Cancellation shall be made by writing in each blank the word "Cancelled" and the statement of the reason therefor.

Sec. 7. The City Clerk shall cancel the entry in the following cases:

1. At the request of the party registered.

2. When he knows of the death or removal of the person registered.

3. When the insanity of the person registered is legally established.

4. When the person registered has been convicted of a felony and the judgment of conviction has not been reversed or set aside.

5. Upon the production of a certified copy of a judgment directing the cancellation to be made.

6. Upon a certificate of a board of election of any precinct, sent up with the election returns, stating the death or removal from the city within their own knowledge of the person registered.

Sec. 8. Upon the application of the party in person, the City Clerk must give him a certified copy of the entries upon the Great Register relating to such party.

Sec. 9. The City Clerk shall then enter in the separate precinct register for the particular precinct in

which the elector registers everything entered by him in the Great Register. He shall arrange the name alphabetically, according to surname in the separate precinct register by the same number given the elector in the Great Register. The separate election precinct register shall contain all the information concerning the election contained in the Great Register, and such election precinct registers shall be delivered by the City Clerk to the election board of such precincts upon the opening of the polls on any election day, and shall be used by such election board as the official register of such precincts.

Sec. 10. A certified copy of an uncancelled entry upon the Great Register is prima facie evidence that the person named in the entry is a qualified voter of the City.

Sec. 11. The City Clerk shall not place, or cause to be placed, any name upon the Register after the eleventh day next preceding any election; provided, however, that immediately after the holding of any Primary Election the Great Register shall be re-opened and continued open until and including the eleventh day next preceding the General Election, at which time the Register shall be closed and no further name shall be registered therein prior to such election.

Sec. 12. That Section Two (2) of Chapter Six (6) of Ordinance Number 209, New Series of the City of Phoenix, entitled:

> "An Ordinance providing the time of holding Primary and General Elections in the City of Phoenix, prescribing qualifications of electors, providing for election precincts and boards of election; the conduct of elections, providing forms of poll lists and tally lists, providing methods of voting and challenging at such elections; canvassing and returning the vote, the canvass of returns, declarations of the result, commissions and certificates of election, and repealing all Ordinances in conflict therewith; with an emergency clause.",

be and the same is hereby amended to read as follows:

Sec. 2. The ballot clerks shall at all times be under the supervision of the presiding officer aforesaid, shall keep the ballots within the polling place and in plain view of the public, and deliver them only to qualified voters. Every qualified voter, before receiving his ballot, shall announce his name and place of residence in a clear, audible tone of voice to the ballot clerk, or present his name and residence in writing, and if such name be found upon the Precinct Register by the ballot clerk having charge thereof he shall repeat the name; his name shall be noted by the poll clerks and each voter's name shall be numbered consecutively by the poll clerks, with the number upon the stub of the ballot delivered to him, and the order of the respective applications for ballots to the ballot clerk. The ballot clerk shall also write his name upon said stub, and

the voting number of such vote as it appear upon the Precinct Register and the ballot Clerk shall give him one and only one, ballot, and his name shall be immediately checked on the Precinct Register.

Sec. 3. Whereas, it is necessary to the public peace, health and safety of the City of Phoenix, and in order to facilitate the holding of Primary and General Elections to be held in March and April next respectively, that this Ordinance become immediately effective, now therefore,

An emergency is hereby declared to exist, and this Ordinance shall be in full force from and after its passage by the Commission, approved by the Mayor, and posting and publication as by law required.

Passed by the Commission of the City of Phoenix this 21st day of January, 1920.

Approved this 21st day of January, 1920.

PETER CORPSTEIN,
Mayor.

Attest:
FRANK THOMAS, City Clerk.

ORDINANCE NO. 331.

An Ordinance dividing the City of Phoenix into twelve voting precincts.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. That for the purpose of all elections to be hereafter held, the City of Phoenix is hereby divided into twelve (12) election precincts, which said precincts are hereby bounded and transcribed in the manner following:

First Precinct: Amended by Ordinance 432.

Second Precinct: Amended by Ordinance 432.

Third Precinct: Amended by Ordinance 432.

Fourth Precinct: Beginning at the center of the intersection of Washington street and Eleventh street, running thence north along the center line of Eleventh street to the center line of Roosevelt street; thence east to the northeast corner of Germania Place, running thence south along the east line of Germania Place to the center of Van Buren street; thence south along the line of Sixteenth street to the center line of Washington street; thence west along the center of Washington street to the place of beginning.

Fifth Precinct: Beginning at the center of the intersection of Washington street and Eleventh street, running thence west along the center line of Washington street to the center of the intersection of Washington street and Fifth street; thence north along the center of Fifth street to the center line of Roosevelt street; thence east along the center line of Roosevelt street to the center line of Eleventh street; thence south to the place of beginning.

Sixth Precinct: Beginning at the center of the intersection of Washington street and Fifth street, running thence west along the center line of Washington street to the center line of Central avenue; thence north along the center line of Central avenue to the center line of Roosevelt street; thence east along the center line of Roosevelt street to the center line of Fifth street; thence south along the center line of Fifth street to the place of beginning.

Seventh Precinct: Beginning at the center of the intersection of Washington street and Central avenue, running thence west along the center line of Washington street to the center line of Seventh avenue; thence north along the center line of Seventh avenue to the center line of Roosevelt street; thence east along the center line of Roosevelt street to the center line of Central avenue; thence south along the center line of Central avenue to the place of beginning.

Eighth Precinct: Beginning at the center line of Washington street and Seventh avenue running thence west along the center line of Washington street to the center line of Fifteenth avenue; thence north along the center line of Fifteenth avenue to the northwest corner of University Addition; thence east along the north line of University Addition to the center line of Seventh avenue; thence south along the center line of Seventh avenue to the place of beginning.

Ninth Precinct: Beginning at the center of the intersection of Fifteenth avenue and Washington street, running thence west along the center line of Washington street to the east line of Twenty-third avenue, running thence north along the east line of Twenty-third avenue to the northwest corner of Christy Acres, running thence east to the intersection of Nineteenth avenue and Fillmore street; thence east along the south line of Fillmore street to the east line of Sixteenth avenue; thence north along the west line of West Lawn and Harbert Subdivision to the northwest corner of Harbert Subdivision; thence east along the north line of Harbert Subdivision to the center line of Fifteenth avenue; thence south along the center line of Fifteenth avenue to the place of beginning.

Tenth Precinct: Beginning at the center of the intersection of Washington street and Seventh avenue, running thence west along the center line of Washington street to the east line of Twenty-third avenue; thence south along the east line of Twenty-third avenue to the north line of Harrison street; thence east along the north line of Harrison street to the east line of Eleventh avenue; thence south along the east line of Eleventh avenue to the southwest corner of Irvine Addition; thence east along the south line of Irvine Addition to the center line of Seventh avenue; thence north along the center line of Seventh avenue to the place of beginning.

Eleventh Precinct: Beginning at the center of the intersection of Washington street and Seventh avenue,

running thence east along the center line of Washington street to the center of the intersection of Washington street and Central avenue; thence south along the center line of Central avenue to the north line of Yavapai street; thence west along the north line of Yavapai street to the center line of Seventh avenue; thence north along the center line of Seventh avenue to the place of beginning.

Twelfth Precinct: Beginning at the center of the intersection of Washington street and Central avenue, running thence east along the center line of Washington street to the east line of Sixteenth street; thence south along the east line of Sixteenth street to the north line of Harrison street; thence west along the north line of Harrison street to the west line of Seventh street; thence south along the west line of Seventh street to the southeast corner of the northwest quarter of the southeast quarter of Section Eight (8); thence west to the west line of Third street; thence south along the west line of Third street to the north line of Gray street; thence west along the north line of Gray street to the center of Central avenue; thence north along the central line of Central avenue to the place of beginning.

Section 2. WHEREAS, it is necessary to the public peace, health and safety that proper precincts may be created for the purposes of the Primary Election to be held on the 5th day of March, 1920; now, therefore,

An emergency is hereby declared to exist, and this Ordinance shall be exempted from the provisions of the referendum, and shall be in full force and effect from and after its passage by the Commission, approval by the Mayor, and posting and publication as provided by law.

Passed by the Commission of the City of Phoenix this 21st day of January, 1920.

Approved this 21st day of January, 1920.

PETER CORPSTEIN,
Mayor.

Attest:
FRANK THOMAS, City Clerk.

ORDINANCE NO. 432.

An Ordinance amending Ordinance No. 331 (New Series), of the City of Phoenix, entitled, "An Ordinance dividing the City of Phoenix into twelve voting precincts."

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. That that paragraph of Section 1 of Ordinance No. 331 (New Series), of the City of Phoenix, entitled, "First Precinct," be and the same is hereby amended to read as follows:

"First Precinct: Beginning at the center of the intersection of Central avenue and Roosevelt street, running thence north along the center line of Central avenue to

the south border of the Little Maricopa Canal, running thence west to the east line of Third avenue extended, thence south along the east line of Third avenue extended to the south line of McDowell Road, thence west along the south line of McDowell Road to the east line of Eleventh avenue, thence south along the east line of Eleventh avenue to the center line of Roosevelt street; thence east along the center line of Roosevelt street to the place of beginning.

That that paragraph of Section 1 of Ordinance No. 331 (New Series), of the City of Phoenix, entitled, "Second Precinct," be and the same is hereby amended to read as follows:

Second Precinct: Beginning at the center of the intersection of Central avenue and Roosevelt street, running thence north along the center line of Central avenue to a point one hundred and fifteen (115) feet north of the north line of Vernon avenue; thence east to the west line of Third street; thence south along the west line of Third street to the south line of the Little Maricopa Canal; thence east along the south line of the Little Maricopa Canal to the center of Seventh street extended; thence south along said center line of Seventh street to the center of the intersection of Seventh street and Roosevelt street; thence west along the center line of Roosevelt street to the place of beginning.

That that paragraph of Section 1 of Ordinance No. 331 (New Series), of the City of Phoenix, entitled, "Third Precinct," be and the same is hereby amended to read as follows:

Third Precinct: Beginning at the center of the intersection of Roosevelt street and Seventh street, running thence north along the center line of Seventh street to the south line of Homewood Road, running thence east along the south line of Homewood Road to the west line of Tenth street, running thence south along the west line of Tenth street to the northwest corner of Homewood Road and Francis Heights; thence east along the north line of said Homewood and Francis Heights to the northeast corner of Homewood Subdivision; thence south along the east line of Homewood Subdivision to the south line of McDowell Road; thence east along the south line of McDowell Road to the west line of Fourteenth street extended; thence south along the west line of Fourteenth street extended to the center line of Roosevelt street;

thence west along the center line of Roosevelt street to the place of beginning.

Sec. 2. WHEREAS, it is necessary to the public peace, health and safety of the City of Phoenix that provisions be made whereby residents of certain new additions to the City of Phoenix may exercise their franchise at the Bond Election to be held in the City of Phoenix on the 27th day of November, 1920; Now, therefore,

An emergency is hereby declared to exist, and this Ordinance shall be exempt from the provisions of the referendum, and shall be in full force and effect from and after its passage by the Commission, approval by the Mayor, and posting and publication as provided by law.

Passed by the Commission of the City of Phoenix this 24th day of November, 1920.

Approved this 24th day of November, 1920.

WILLIS H. PLUNKETT,
Mayor.

Attest:

FRANK THOMAS, City Clerk.

CHAPTER VII.

OFFICERS AND EMPLOYEES.

ORDINANCE NO. 1.

An Ordinance creating certain offices of the City of Phoenix in addition to those provided for in the City Charter adopted on the 11th day of October, 1913, defining and prescribing the duties of, and fixing the compensation and bonds for, all the officers of the City, and providing that the office of the City Assessor and the office of the City Collector, as well as other offices created by this Ordinance, may be filled by one and the same person.

Be it Ordained by the Commission of the City of Phoenix, as follows:

Section 1. In addition to the offices of City Manager, City Auditor, City Clerk, City Assessor, City Treasurer, City Collector, City Attorney, City Engineer, Chief of Police, Fire Chief, Superintendent of Streets and City Magistrate provided for in the City Charter adopted on the 11th day of October 1913, there are hereby further established and created the offices of City Health Of-

ficer, City Sealer of Weights and Measures, City Inspector of Buildings and Superintendent of Water Works.

Sec. 2 (A). The City Manager shall have the general supervision and direction of the administrative operation of the City government. He shall supervise and direct the official conduct of all appointive officers, except the City Auditor and the City Magistrate. He shall supervise the performance of all contracts made by any person for work done for the City and in that behalf represent the City, except as it may be otherwise provided in the City Charter. He shall make all purchases of materials or supplies for the City, and shall see that the same are received as contracted for. He shall employ and discharge from time to time, as occasion requires, all employees of the city. He shall appoint all officers of the city, the appointment or election of whom are not otherwise provided for in the charter, and may remove them when the interests of the City require

He shall make written report to the Commission at its first meeting in each month of the state and condition of the business and affairs of the City; and he shall, whenever required by the Commission, make a written or verbal report as may be indicated by the Commission, in detail. of any particular matter relating to the affairs of the City within his supervision.

He shall require monthly reports, and may require them oftener, from each of the officers of the city appointed by him, of the business and condition of such office, and shall submit the same to the Commission upon its request therefor. All reports required by the charter or by Ordinance shall be in writing, except that the Commission, in the case of reports other than the said monthly reports, may direct them to be verbal; and the Manager may direct reports other than such monthly reports to be made verbally.

It shall be his duty to see that all the Ordinances of the City are enforced. He shall, on or before the first Monday in May in each year, or such date in each year as shall be otherwise fixed by the Commission, prepare a careful estimate in writing of the amounts in money, specifying in the detail the purposes thereof, required for the business and conduct of the affairs of the City during the next ensuing fiscal year; and shall, on or before the first Monday in June of each year, or on such date in each year as shall be fixed by the Commission, submit to the Commission the estimates of each depart-

ment and his own personal report and recommendation and estimate as to the probable expenditures of the City for the next ensuing fiscal year, stating the amounts in detail required to meet all expenditures necessary for City purposes, including a City sinking fund for outstanding indebtedness, if any, therein; also an estimate of the amount of income expended from all sources in each department, and the probable amount required to be raised by taxation to cover such expenditures, interest and sinking fund.

The City Manager must not hear or consider any claim in favor of anyone against the city unless an account, properly made out, giving all the items claimed, duly verified as to its correctness and that the amount claimed is justly due, is presented to him within six (6) months after the last item of the account accrued, except claims of officers of the city for their salaries; and if he shall find that any claim presented is not payable by the City or is not a proper charge, he shall reject the same; if he finds it to be a proper charge, but for a greater amount than is due, he may allow the claim in part and order paid the portion allowed upon the claimant filing his receipt in full for his account. He shall not allow any demand upon the City in favor of any person in any manner indebted to the City without first deducting such indebtedness, or in favor of any officer whose accounts shall not have been rendered and approved or who shall have neglected or refused to make his official returns or reports in writing, as required by the provisions of the charter or any Ordinance of the Commission, or in favor of any officer who shall wilfully neglect or refuse to perform any of the duties of his office.

He shall have power to examine, orally or otherwise, on oath, persons representing any demand on the City, or the agent or attorney of such person, or any other person, in order to ascertain any facts necessary or proper for him to know in order to determine the allowance or disallowance of such demands. He shall sign all warrants drawn upon the City Treasurer.

He shall observe, respect and carry out all of the provisions of the Constitution of Arizona, the laws of the State of Arizona, and the provisions of the charter of the City and of all Ordinances and resolutions of the Commission which may or shall affect, relate to or appertain to his office or the conduct thereof.

(B). The City Auditor shall prescribe and require except as they may be by law prescribed and required, the use of plain and uniform systems of keeping books of account by all City officers, who are charged with the receipt or disbursement of any of the funds of the City, or who may be authorized to purchase material and supplies or employ labor for it. He shall prescribe the form of vouchers or other evidences of the receipt of

money from the City or for the establishment of demands against the City. He shall at all times have access to, and may inspect and take copies of, all books on which entries are made, or are required to be made, relative to the receipt or expenditure of money, on account of the City and all vouchers, accounts, bills, warrants, drafts, contracts and other papers relating thereto. He shall have power to administer oaths for the purpose of ascertaining the facts relating to any charge or claim against the City made or claimed by any person, partnership, association or corporation whatsoever.

He shall inquire into and inform himself as to the legality of all claims to be paid out of the city treasury or for which warrants thereon might be or have been drawn, as well as the reasonableness of the prices charged or claimed for material, supplies or labor, and the facts as to the delivery or rendition thereof to, or for the use of the City.

He shall, at the first meeting of the Commission in each month, make a written report to the Commission of all expenditures made or incurred by the City or on its account during the next preceding month, showing the same in detail, and as well the receipts by the City in detail on all accounts, and showing at the time the financial condition of the city. He shall make written or verbal reports to the Commission whenever required by it of any particular matters relating to the business of the City involving the receipt or expenditure of money or incurring expense therein.

He shall examine, audit, and check all books, records and accounts of each and every officer and employee of the City who is, or may be required by law to keep records or accounts, at least once each month, and oftener if the Commission so requires, and shall report to the Commission the result of such examination, audit and check.

He shall examine, audit and check all books, records, and accounts of each and every officer and employee of the City who is or may be, authorized to purchase, receive, sell, disburse or dispose of, or who may purchase, receive, sell, disburse or dispose of, any property of, or belonging to, the city, or who is or may be authorized to incur or contract any indebtedness for or on account of the City, or who is authorized or required to collect, receive, care for or have in his possession, or who does receive, collect, care for or have in his possession any moneys, machinery, supplies, material, equipment or other property belonging to the city and shall make report thereof to the Commission at least once every month, and oftener should the Commission so require.

He shall promptly examine, audit and certify as to the correctness of all claims, bills and demands against the City for material, equipment, supplies, labor, services or property, purchased or received by or furnished or delivered to, the city; and, except for claims, bills and demands against the city for salaries and wages of city officers and employees, no warrant shall be drawn upon

the City Treasurer for the payment of any claim, or demand against the City until after such audit and certification.

He shall perform such other and further duties as may be hereafter prescribed by the Commission, and such other and further duties as may be required of him by the City Manager, subject to review by the Commission.

(C). The City Magistrate shall preside over the City Court of the City of Phoenix, Maricopa County, Arizona, and said court shall always be open, except on nonjuridicial days, and on such days it may transact such business with its jurisdiction as is authorized by general law to be transacted by courts of justices of the peace relative to business within their jurisdiction. The City Court shall, within the territorial limits of the City, have and exercise jurisdiction as follows: It shall have and exercise exclusive original jurisdiction of all proceedings of a criminal nature for the violation of any Ordinances of said City, and of every action of a civil nature for the enforcement of a penalty or the recovery of a penalty or forfeiture imposed by any Ordinance of said city for violation thereof or for neglect to perform any duty by Ordinance imposed; of every action for the collection of any license, tax or penalty due from any person, copartnership, association, or corporation to the City and required to be paid, or which is due and collectible under the Ordinances of the City.

For the carrying out of the jurisdiction vested in said City Magistrate, he shall be entitled and authorized to issue and cause to be served any and all writs and processes, and he shall have full authority to hear and determine all matters properly coming before him and coming within his jurisdiction herein specified. The writs to be used by said City Magistrate shall be similar to those used by justices of the peace in cases of similar nature. And he shall keep, or cause to be kept, a proper record of the issuance of all writs, processes and returns, and of any and all other actions taken relative thereto, and of the action of the court thereon. He shall also keep, or cause to be kept, a record of each and every transaction of the city court, and of the acts, orders and judgments of the City Magistrate, together with an accurate record and account of all fines, penalties, and fees, and other moneys, collected by him in the course and performance of his duties; and shall pay and turn over to the City Treasurer on the first day of each and every month, all fees, penalties and fines, and other moneys, collected by him during the preceding month and shall take receipt therefor.

He shall do and perform such other and further duties as now are, or may hereafter be, required of him under the provisions of the Constitution of Arizona, the laws of the State of Arizona, the City Charter and the Commission.

(D). The City Clerk shall keep the corporate seal of the City, and shall also keep all papers and documents belonging to the City and file the same in his office under appropriate heads. He shall attend all meetings of the

Commission and keep an accurate record and account of all proceedings, and record the same in proper books; and he shall transcribe in proper books, separately kept for that purpose, all Ordinances, resolutions and franchises passed by the Commission. He shall attest all Ordinances, resolutions and franchises approved and signed by the Mayor. He shall countersign all warrants issued by the City Manager and all licenses issued under authority of law. He shall keep an account in appropriate book, of all licenses issued, and to whom issued, and the amount of each, and shall keep an account of all warrants drawn upon the City Treasurer.

He shall, upon receipt of the assessment roll, compute and carry out the amount of the tax levied upon each parcel of property contained in said assessment roll, and after correcting same, shall certify to it as being the assessment roll of the city, and upon such certification shall deliver the tax roll, so certified, to the Commission.

He shall do and perform such other and further duties as may be required by him by the Constitution of Arizona, the laws of Arizona and by the charter and as may be required by the Commission, and such additional duties as may be from time to time required of him by the City Manager.

(E). The City Assessor shall, between the first Monday in January and the first Monday in May of each year, ascertain by diligent inquiry and examination all property in the City, real, personal or mixed, subject to taxation, and also the names of all persons, corporations, companies or firms owning or claiming the same, or any interest therein, or having possession or control thereof, and shall determine the full cash value of all such property, and shall list and assess the same to the person, firm, corporation, association or company owning or having the possession, charge or control thereof, and shall prepare, complete and file for equalization an assessment roll thereof with the Commission. He shall attend all meetings of the Commission while sitting as a Board of Equalization, and give to said Commission such information as it may require of him.

He shall do and perform such other and further duties as may be required of him by the Constitution of Arizona, the laws of the State of Arizona, the Charter and the Commission, and also such additional duties as may be from time to time required of him by the City Manager.

(F.) The City Treasurer shall receive all moneys belonging to the City and all other moneys directed by law to be paid to him safely keep the same, and apply and pay them out according to law, rendering account thereof as required by law. He shall keep an account of the receipt and expenditure of all moneys in books provided for that purpose, in which must be entered the amounts, the time when, from whom and on what account all moneys were received by him; the amounts, time when and to whom and on what account all disbursements were made by him.

He shall keep his books so that the amounts received

and paid out on account of separate funds or specific appropriations are exhibited in separate and distinct accounts and the whole of the receipts and expenditures shown in one general or cash account. He shall, at least once monthly, and oftener if so required by the Commission, render to the Commission a written report of the receipts and disbursements for the then preceding month, together with all sums of money then in his charge and under his control and the particular funds and accounts in which the same are placed and credited.

He shall disburse the City moneys only upon proper warrants therefor, signed by the City Manager and countersigned by the City Clerk.

By and with the consent and approval of the Commission he may cause the city moneys to be deposited in any bank or banks in the City upon sufficient security being given to the City therefor by said bank or banks, to be approved by said Commission. No City moneys shall ever be deposited in any banking institution unless interest is paid to the city upon such moneys deposited, at the rate of not less than two per cent (2%) per annum upon the daily balance of such deposited, to be computed monthly.

He shall invest or deposit in banks in the State of Arizona, savings accounts or otherwise, any and all moneys belonging to the City, collected and held as sinking funds, the investment or deposit of such funds to be made upon competitive bids therefor, after due notice, or in such other public manner as in the judgment of the Commission may be deemed best in the interests of the City. In making investments he may purchase only interest-bearing United States, state, county, school district and municipal bonds, but no bonds shall be purchased for a higher price than their market value at the time of purchase. In making deposit of such sinking funds, he may select for the purpose any reputable national, state or savings bank or trust company in the State of Arizona, and obtain the highest rate of interest, not less, however, than four per cent (4%) per annum, and he shall take from such institution or institutions security for such deposit in negotiable, interest-bearing United States, state, county, school district or municipal bonds, or surety company bonds, in an amount not less than the amount of such deposit, to be approved by the City Manager; provided that no such deposit shall be made for a period longer than one year.

All moneys due as interest upon investments or deposits shall be collected by him, and by him credited to the general fund of the city, and any and all bonds and securities taken for investments and deposits shall be by him held for safe-keeping for the benefit of the city.

He shall do and perform such other and further duties as may be required of him by the Constitution of Arizona, the laws of the State of Arizona, the charter, and by the Commission, and also such additional duties as may be from time to time required of him by the City Manager.

(G.) The City Collector shall collect and receive all moneys due, to become due, to the City from taxes, licenses, assessments and other sources of income and revenue except as herein otherwise specifically provided for, and shall keep a full and accurate record and account of all moneys so collected by him, showing from whom and for what the same was collected, and shall keep full and accurate records of all other acts and proceedings had and taken by him; and at least once a month, and oftener if required by the Commission, shall make written report to the Commission of all moneys collected or received by him and from what sources.

He shall at least once a month, and oftener if required by the Commission, pay over to the City Treasurer all moneys theretofore collected and held by him, from whatever source derived, and take receipt therefor.

He shall do and perform such other and further duties as may be required of him by the Constitution of Arizona, the laws of the State of Arizona, the charter, and the Commission, and also such additional duties as may from time to time be required of him by the City Manager.

(H). The City Attorney shall act as legal counselor and adviser of the Commission and other city officials, and shall give his opinion in writing when required by the Commission. He shall draft all deeds, conveyances, contracts, Ordinances and other legal instruments when required by the Commission, and shall prosecute and defend all suits, actions and causes where the City is a party; provided, he shall not be required to attend any causes before the City Magistrate unless expressly required by the Commission.

He shall report to the Commission when required the condition and state of any suit or action to which the city is a party.

He shall do and perform such other and further duties as may be required of him by the Constitution of Arizona, the laws of Arizona, the charter and the Commission, and also such additional duties as may be from time to time required of him by the City Manager.

(I.) The City Engineer shall do and perform all surveying and engineering work for the city. He shall establish the grades of streets, alleys, curbs, paving, sidewalks and ditches, and run lines, set stakes and make plats, diagrams and charts thereof whenever required. He shall establish and run the grades and lines of all railways and railway lines whether steam, electric or otherwise, and establish the grades and run the lines for all telephone and telegraph lines and electric lines, pipes, conduits, sewers, sewer mains and pipes, water mains and pipes, and gas mains and pipes. He shall establish the grades of street crossings, of all city drainage and survey and establish all street and property lines.

He shall exercise all his powers and duties under the supervision and direction of the Superintendent of Streets and under the control and direction of the City Manager.

He shall do and perform such other and further duties as may hereafter be required of him by the Constitution of Arizona, the laws of Arizona, the City charter or the Commission, and also such additional duties as may be from time to time required of him by the City Manager.

(J) The Chief of Police shall preserve the peace of the city. He shall arrest and take, and cause to be arrested and taken, before the City Magistrate all persons committing or attempting to commit an offense against the law or the Ordinances of the city. He shall prevent and suppress all affrays, riots and breaches of the peace which may come to his knowledge. He shall have charge and supervision of the City Jail and the prisoners therein. He shall have supervision and direction of the police of the city. He shall serve or cause to be served all writs and processes issued by the City Magistrate, and shall make or cause to be made proper return thereof and thereon. He shall keep a full and accurate record of all arrests made by him or the police of the city, showing the name of each person arrested, the date of arrest and the nature of the charge upon which the arrest was made, the name of each person committed to the City Jail, the nature of the charge or process under which such imprisonment was made, the length and term of such imprisonment and when and why released. He shall keep a full and accurate record and account of each and every writ and process issued by the City Magistrate for service, to whom delivered for service, and the date and return made thereof.

He shall take charge of, preserve and care for all property of the city used in connection with the Police Department thereof, and shall safely keep and preserve for the rightful owner thereof all other property which shall be intrusted to his care or come into his possession.

He shall make monthly reports in writing of all the proceedings had and taken by him and by the police of the city for the preceding month, to the Commission. He shall be at all times subject to the supervision and control of the City Manager, and he shall do and perform such other and further duties as may be required of him by the Constitution of Arizona, the laws of Arizona, the Charter, and the Commission, and also such additional duties as may be from time to time required of him by the City Manager.

(K) The Fire Chief shall keep, preserve and control all livestock, vehicles, appliances, apparatus, equipment and machinery used or employed in connection with the city Fire Department and shall supervise and direct the use and maintenance thereof. He shall supervise and direct the members of the Fire Department, and shall personally attend at, direct and supervise the extinguishment and control of all fires within the city; and shall do and perform such acts and employ such measures as may from time to time be necessary to prevent, control or extinguish conflagrations throughout the city. He shall keep a full and accurate record and account of all prop-

erty belonging to the city and intrusted to his care or under his control, and a full and complete record of each and every conflagration within the city, showing the premises upon which such conflagration occurred, the owner of the premises, the cause or causes of the conflagration, the damage and loss incurred, or sustained thereby, and the names of the members of the Fire Department who were present and assisted in the extinguishment thereof.

At least once every month, and oftener if required by the Commission, he shall make a written report to the Commission of all proceedings had or done by him or under his direction during the preceding month.

He shall be at all times subject to the supervision, direction and control of the City Manager, and he shall do and perform such other and further duties as may be required of him by the Constitution of Arizona, the laws of Arizona, the City Charter, the Commission, and also such additional duties as may be from time to time required of him by the City Manager.

(L) The Superintendent of Streets shall have supervision and control of the maintenance of all streets, sidewalks, parks, city corrals and city buildings, and the work done and to be done therefor, therein and thereon, and he shall at all times keep the same and each of them clean and free from obstructions, debris, waste and garbage, and shall supervise and control the construction of all curbs, gutters, ditches, culverts, bridges, street crossings and structures and the maintenance and repair thereof; and shall have supervision and control over all vehicles, livestock, sprinklers, street sweepers, machinery, appliances and devices, except fire equipment and apparatus belonging to, or used by the city. He shall have supervision, charge and control of the city corral and livestock and the care and maintenance thereof. He shall have supervision and control over all parks of the city and of all trees, grass and foliage growing in and upon any of the parks or premises belonging to the city or upon any of the streets or highways belonging to the city.

He shall have supervision and control of the construction, maintenance and operation of railway and street railway lines, tracks and works in, upon and over the streets and alleys of the city, and shall have supervision over and control of the laying, installation, construction and maintenance of curbs, gutters, street paving, sidewalks, water pipes and mains, sewer pipes and mains and conduits, electrical conduits and electric telephone and telegraph lines and conduits, on, over, above or under all or any of the streets and alleys of the city.

He shall have supervision over the City Engineer. He shall at all times be subject to the direction and control of the City Manager. He shall perform such other and further duties as may be required of him by the Constitution of Arizona, the laws of Arizona, the City Charter, or the Commission, and also such other and further duties as may be from time to time required of him by the City Manager.

(M) The City Health Officer shall be a licensed physician, and shall have supervision and control over the public health and sanitation of the city. He shall make and enforce all needful rules and regulations for the prevention of and to prevent the spread of any and all contagious or infectious diseases among persons and domestic animals.

He shall have power to establish quarantine and isolate any person or persons affected with any contagious, infectious, epidemic or endemic disease; to isolate, quarantine, kill or remove any animal or animals affected with any contagious or infectious disease when necessary to protect public health; to remove or cause to be removed any dead, decayed or decaying body or any decayed or decaying substance, or any other noxious or offensive substance or thing which may endanger the health or safety or interfere with the comfort of the public, to condemn and cause to be destroyed any impure or diseased article of food that may be offered for sale or held for consumption. He shall examine into all nuisances, sources of offense and discomfort, and causes and sources of sickness and disease, and shall make such regulations regarding the same as in his judgment shall be necessary for the preservation and promotion of the public health, safety and comfort of the city.

He shall have power to enter upon all public and private property or premises to examine into any nuisance, source of filth, or cause or source of sickness or disease found therein or thereon, and may require the owner or occupant thereof at his own expense to remove the same.

He shall inspect as often as he shall deem necessary, and oftener if required so to do by the Commission or City Manager, all food products, sold, offered for sale, or held or designed for consumption or use by persons or animals; and shall inspect all water and water supplies used or designed for use within the city, and shall do and perform all things necessary or proper to prevent contamination thereof.

He shall inspect the condition of all sewers, lavatories, urinals, sinks, privies, vaults, sewer connections fixtures, and appliances and sewage effluent, and do any and all things necessary or proper to place and keep the same in a sanitary condition; and shall whenever he may deem it necessary and oftener when required by the Commission or City Manager, inspect all buildings and premises, public and private, within the city and make necessary and proper rules and regulations for the placing and maintaining of the same in a sanitary condition, and shall have power to enforce all such rules and regulations.

He shall have power to destroy or cause to be destroyed all food products determined by him to be unfit or improper for consumption by persons or animals, and shall have power to summarily abate any and all nuisances and sources or causes of food or water contamination endangering the health or safety or interfering with the comfort of the public.

He may provide a temporary hospital or place of

reception and detention for persons exposed to or infected with infectious or contagious diseases, and may require the removal of any person or persons exposed to, infected with or suffering from any contagious or infectious disease, thereto, and cause his or their detention therein until all danger to the public therefrom is removed.

He shall gather, compile and tabulate full and accurate vital statistics and data, showing all births, deaths, accidents, and contagious or infectious diseases within the city, and the time and location thereof.

He shall promptly turn over to the City Treasurer any and all moneys of or belonging to the city collected or received by him, and take receipt therefor.

He shall keep full and accurate books, records and accounts showing in detail all inspections and examinations made by him or under his direction, and the time, place and result thereof; all rules and regulations, issued or promulgated by him; all moneys collected or received by him, and when, from whom, and on what account received, and the disposition made thereof; and of all other acts and proceedings done, had or taken by him in his official capacity; and shall at least once in each month, and oftener if so required by the Commission or the Manager, render to the Commission and the Manager a written statement and report of all his transactions and proceedings for the then preceding month.

He shall have and exercise such further and additional powers and shall do and perform such other and further duties as may be granted to or required of him by the Constitution of Arizona, the laws of Arizona, the City Charter and the Commission. He shall at all times be subject to the supervision and direction of the City Manager, and he shall also do and perform such additional duties as may from time to time be required of him by the City Manager.

(N) The City Sealer of Weights and Measures shall inspect, test, try, and ascertain if they are correct, all weights, scales, beams, measures of every kind, instruments or mechanical devices for weighing or measuring and tools, appliances, or accessories connected with any or all such instruments, kept, offered, or exposed for sale, sold or used, or employed, within the City by any proprietor, agent, lessee, or employee, in proving the size, quantity, extent, area or measurements of quantities, things, produce, or articles for distribution or consumption, offered or submitted by any such person or persons for sale, hire or reward. He shall have the power to, and shall, from time to time, weigh or measure packages or amounts of commodities of whatsoever kind kept for the purpose of sale, offered for sale, or sold, or in the process of delivery, in order to determine whether the same contains the amount represented, and whether they be offered for sale or sold in a manner in accordance with law. He shall, at least twice each year, and as much oftener as the Commission or the City Manager may direct, test the accuracy of weights, measures and weigh-

ing or other devices used in the city. He may, for the purposes above mentioned, and in the general performance of his duties, enter and go into or upon, without formal warrant, any stand, place, building or premises, or stop any vendor, peddler, junk dealer, ice wagon, or any dealer whatsoever and require him, if necessary, to proceed to some convenient place for the purpose of making the proper test. When the City Sealer of Weights and Measures finds a violation of the statutes of the state or Ordinances of the city relating to weights and measures, he shall cause the violator to be prosecuted.

When the City Sealer of Weights and Measures compares weights or measures or weighing or measuring instruments and finds that they correspond to the standards in his possession, he shall seal or mark such weights, measures, or weighing or measuring instruments with appropriate devices to be approved by the state inspector of weights and measures.

He shall condemn, seize, and may destroy, incorrect weights and measures, or weighing or measuring instruments which, in his best judgment, are not susceptible of satisfactory repairs; but such as are incorrect, but yet may be repaired, he shall mark or tag as condemned for repairs in a manner prescribed by the state inspector of weights and measures. The owner or user of any weights or measures, or weighing or measuring instruments, of which such disposition is made, shall have the same repaired or corrected within fifteen (15) days thereafter, and shall not use or dispose of the same in any way, but shall hold the same at the disposal of the City Sealer of Weights and Measures; and any apparatus which has been condemned for repairs and has not been repaired as required by him shall be confiscated by the City Sealer of Weights and Measures.

He shall keep in a book, together with a card index system to be furnished him by the Commission, a complete list of all scales or weights and measures, weighing and measuring devices inspected and tested by him, the name of the person, firm or corporation using such scales, weights, or weighing or measuring devices, and the date and result of all inspection; and shall at all times keep the same open to the inspection of the public. He shall keep a complete record of all his official acts, and shall make a monthly and annual report, duly sworn to, on the first day of each month and of each year, to the State Inspector of Weights and Measures, on blanks to be furnished by said inspector.

He shall, at least once in every two (2) years, and as much oftener as may, in his judgment or the judgment of the City Manager be necessary, or whenever requested in writing by either the furnisher of water, electricity or gas, or by the consumer of the same, test the accuracy of any meter used or to be used in the measuring of any water, electricity or gas furnished or to be furnished to the consumer through such meter. If the meter tested shall upon test thereof by the City Sealer of Weights and Measures be found to measure too fast or too slow by as

much as three (3%) per cent, such meter shall be condemned by him, and the owner or owners of the same shall be notified of the condemnation at the time when such condemnation is made by the City Sealer of Weights and Measures, and such meter shall not again be used, or used at all, until corrected and made to measure accurately.

He shall promptly collect all fees which he now is, or hereafter may be, authorized to charge and receive from persons owning or using weights or measures, and on the first day of each and every month, shall turn over to the City Treasurer all moneys and fees collected or received by him during the preceding month and take the receipt of the City Treasurer therefor. He shall keep a full and accurate itemized list, record and account of all fees collected or received by him, and at least once every month, and oftener if so required by the Commission, shall make a written report thereof to the Commission and the City Manager.

He shall keep in a book, together with an accurate card index system to be furnished to him by the Commission, a complete list of all meters inspected and tested by him, the name of the person, firm or corporation owning the same, the name of the furnisher of water, gas or electricity, the name of the consumer thereof, and the date and result of all inspection, and shall at all times keep the same open to the inspection of the public.

He shall have such further powers, and do and perform such further and additional duties, as may be granted to, or required of, him, by the Constitution of Arizona, the laws of Arizona, the City Charter, or the Commission, and also such additional duties as may be from time to time required of him by the City Manager.

(O) The City Inspector of Buildings shall have supervision and control of the erection, construction, alteration, repair, removal and demolition of all buildings, structures and building improvements within the city, and of the maintenance and use of any and all buildings, structures and improvements within the city of a public nature or character.

He shall have supervision and control of the construction and installation of plumbing and plumbing fixtures, appliances and devices; gas pipes, gas tanks, machinery, fixtures, appliances and devices; water pipes, machinery, appliances and devices; heating plants, pipes, boilers, equipment, machinery, appliances and devices; refrigerating plants, pipes, machinery, appliances and devices; electrical plants, machinery, transformers, wiring, fixtures, appliances and devices; and the installation, erection and construction of any and all plants, machinery, fixtures, appliances and devices for manufacturing power, heating, lighting, refrigerating and domestic purposes.

He shall require all such work to be done and performed in such a manner as best to serve and promote the health, safety and comfort of the city and the inhabitants thereof, and in compliance with all laws of the State of Arizona and all Ordinances of the city.

He shall examine all plans and specifications for all proposed construction, alteration, repair, demolition, removal or installation of buildings, structures and building improvements, or parts thereof, and shall issue permit or permits therefor when and only when the plans and specifications for such proposed construction, alteration, demolition, removal, repair, or installation conform to and comply with all provisions of the laws of the State of Arizona and Ordinances of the city relative thereto, and when in his opinion the public health, safety or welfare will not be endangered thereby.

He shall inspect all construction, alteration, repairs, demolition, removal or installation at the completion thereof, and as often during the progress thereof as he may deem necessary, and also whenever directed so to do by the City Manager.

He shall have power at any time that he shall determine that said work is not done or being done in compliance with the laws of Arizona or with the Ordinances of the city, or is done or being done in a manner that in his opinion endangers or is detrimental to the public health, safety and welfare, to put an immediate stop thereto, and may, at his election revoke any and all permits therefor theretofore granted, unless the holder of said permit or permits shall forthwith comply with each and every requirement of the laws of Arizona, the Ordinances of the city and with such other and further reasonable rules, regulations and requirements as the city Inspector of Buildings shall from time to time prescribe.

He shall also require the immediate repair or removal, as he may determine, of all defective or unsafe construction, alteration, repairs, demolition or installation at the owner's expense, and may in writing prescribe such other and further requirements as he may determine to be necessary or proper for the safeguarding or protection of the health, safety or welfare of the public, and shall enforce compliance with all such requirements.

Until otherwise provided by Ordinance, he may regulate the construction of and the materials used in all buildings, chimneys, stocks and other structures, and the construction and use of party walls, and prevent the erection or maintenance of unsafe or insecure buildings, walls, chimneys, stocks or other structures, and provide for their summary abatement or destruction, and may regulate the materials used in and the method of construction and location of drains and sewers, the materials used in wiring buildings or other structures for the use of electricity for lighting, power, heating and other purposes, and the materials used in piping buildings or other structures for the purpose of supplying the same with water or gas, and the manner of so doing. He may require the owners and lessees of buildings or other structures to place upon or in them adequate fire escapes and appliances for the protection against fire and the extinguishment of fires. He may prevent the construction or cause the removal of dangerous chimneys, fireplaces, hearths, stoves, stovepipes, ovens, boilers, apparatus and

machinery used in any building in the city, and regulate the carrying on of manufactories liable to cause fire, and may prevent the depositing of ashes, the accumulation of shavings, rubbish or any other combustible material in unsafe places, and make all other necessary provisions to guard against fires. He may regulate the size and construction of the entrances to and exits from all theatres, lecture rooms, halls, schools, churches, hotels, office buildings and buildings used for factory purposes and other places of a public gathering of every kind, and may prevent the placing of seats, chairs, benches or other obstructions in the hallways, aisles and open places therein.

He shall promptly collect all fees and charges which now or hereafter may be prescribed or fixed by the laws of Arizona, or the Ordinances of the city to be paid as, for or on account of any of the services required or provided by law, city Ordinances, or herein to be rendered, done or performed by him, and shall keep a full and accurate record and account of all fees and other moneys by him collected or received, of all examinations of plans and specifications by him made, or all permits by him issued, and of all inspections made by him or under his direction, as well as of all other official acts done or performed by him, or under his direction; and he shall at least once in each month and oftener if so required by the Commission or by the City Manager render a full and accurate report in writing to the Commission and to the City Manager of all acts done, suffered or permitted by him, and of all transactions and proceedings had or done by him in his official capacity; and he shall also make full and accurate reports to the City Manager whenever so required to do by the City Manager. He shall pay over to the City Treasurer on the first day of each month all moneys collected or received by him or under his direction during the preceding month and take receipt therefor.

He shall be at all times under the supervision and subject to the direction and control of the City Manager. He shall have such further powers and do and perform such further and additional duties as may be granted to or required of him by the Constitution of Arizona, the laws of Arizona, or by the Commission, and he shall also do and perform such further and additional duties as may be from time to time required of him by the City Manager.

(P) The Superintendent of Waterworks shall have supervision and control over all water works, standpipes, pumping plants, property, machinery, tools, appliances and devices of every description, used for, or in connection with, the operation, maintenance, repair and extension of the city water works. He shall supervise and direct the laying of water mains, the installation of fire hydrants, water connections, extensions, machinery, pumps, plugs, taps, meters and other devices and appliances necessary and incident to the proper maintenance, operation and extension of the city water works

and water system, and the regulation of the flow, delivery and usage of water by and through the city water works and system and every part thereof.

Under the direction of the City Manager, he shall maintain, preserve and improve, use or expend, all property now or hereafter intrusted to him or under his control or direction, and shall at all times keep a full and complete inventory of all property which now is, or may hereafter come, under his control or into his possession as such officer, and shall keep a full and accurate record and account of all mains and pipes, hydrants, pumps, standpipes, meters, connections, plugs, taps, appliances and devices installed by him or under his direction, and a description of the location, depth and cost thereof, together with a full and accurate account of all repairs done or performed by him or under his direction, and of all labor and material used or employed by him or under his direction.

At least once a month, and oftener whenever required so to do by the Commission or the City Manager, he shall make full and accurate reports thereof to the Commission and to the City Manager; and shall, on the first day of each month, pay and turn over to the City Treasurer any and all moneys collected or received by him for the preceding month and take his receipt therefor.

He shall at all times be under the supervision and direction of the City Manager. He shall have such other and further powers, and do and perform such other and further duties as may be granted to or required of him by the Constitution of Arizona, the laws of Arizona, the City Charter, or the Commission, and shall also do and perform such additional duties as may be from time to time required of him by the City Manager.

Sec. 3. Until otherwise prescribed by Ordinance, the offices of City Assessor and of City Collector shall be filled and the duties thereof performed and the rights thereof exercised by one and the same person, who shall be named, designated and known as the "City Assessor and ex-officio City Collector."

Sec. 4. Before entering upon the performance of the duties of his office, each of the following officers, to-wit: the City Manager, the City Auditor, the City Clerk, the City Assessor and ex-officio City Collector, the City Treasurer, the City Engineer, the Chief of Police, the Fire Chief, the Superintendent of Streets, the City Magistrate, the City Health Officer, the City Sealer of Weights and Measures, the City Inspector of Buildings, and the Superintendent of Waterworks, shall, respectively, make and file his official bond, conditioned as required by law, and in amounts as follows, respectively:

The City Manager	$20,000
The City Auditor	5,000
The City Clerk	5,000
The City Assessor and ex-officio City Collector	15,000
The City Treasurer	50,000
The City Engineer	5,000

The Chief of Police	5,000
The Fire Chief	5,000
The Superintendents of Streets	10,000
The City Magistrate	3,000
The City Health Officer	2,000
The City Sealer of Weights and Measures	1,000
The City Inspector of Buildings	10,000
The Superintendent of Water Works	15,000

Sec. 5. The officers of the city in Charter or herein provided for shall receive, respectively, salaries as follows:

As amended

The City Manager	$ 7,500	per annum
The City Auditor	1,800	per annum
The City Clerk	1,800	per annum
Deputy City Clerk	1,200	per annum
The City Assessor and ex-officio City Collector	3,000	per annum
The City Treasurer	2,700	per annum
The City Attorney	2,400	per annum
Assistant City Attorney	1,800	per annum
The City Engineer	1,300	per annum
The Chief of Police	3,000	per annum
The Fire Chief	3,000	per annum
The Superintendent of Streets	2,400	per annum
The City Magistrate	1,500	per annum
The City Health Officer	2,400	per annum
The City Sealer of Weights and Measures	1,800	per annum
The City Inspector of Buildings	3,000	per annum
The Superintendent of Waterworks	3,000	per annum

The salaries herein fixed for the said respective officers shall be payable in equal monthly installments, and shall be in full compensation of and for any and all duties and services pertaining to or to pertain to their said respective offices, as well as of and for all duties and services which are or shall be required of them, respectively, by or under lawful authority. No officer shall be allowed any fees, perquisites, emoluments, rewards or compensation aside from the salary fixed by the Charter or by Ordinance; but all fees and moneys received by him, by, through, under or in connection with his official duties shall be paid by him into the City Treasury.

Sec. 6. For any and all misconduct, mistake or neglect done, made, suffered or permitted by any officer or employe of the city whereby the city shall suffer or incur any loss or damage, the officer or employe occasioning such loss or damage or to whom such loss or damage is attributal shall be personally responsible, and the amount of such loss or damage shall be charged against him and shall be repaid to the city by him and the amount of such loss or damage may be deducted from any moneys due or to become due to such officer or employe from the city, and the Commission may also cause to be instituted suit against such officer or employe, and his bondsmen, if any bond be given, to recover such loss or damage.

Sec. 7. The words "his" and "him" as herein used shall include and cover the word "her"; and where the singular is used herein it shall be taken and construed to include the plural; and the word "person" as herein used shall be deemed and construed to include all corporations, partnerships and associations, as well as natural persons.

Sec. 8. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

Sec. 9. WHEREAS, an urgent necessity exists for the immediate creation of the offices herein created, for the proper carrying on of the business and the conduct of the affairs of the city, and for the prescribing of the duties of all the officers of the city under the City Charter adopted on the eleventh day of October, 1913, and requiring bonds from all of said city officers charged with the custody or care of city property or with the receipt and disbursement of city moneys, and the provisions of this Ordinance are necessary for the immediate preservation of the peace, health and safety of the city, and for the carrying on of the government, and the support and maintenance of the departments thereof, of the city, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage by the Commission and approval by the Mayor.

Passed by the Commission of the City of Phoenix this 16th day of April, 1914.

Approved this 16th day of April, 1914.

GEO. U. YOUNG,
Mayor.

Attest:
FRANK THOMAS, City Clerk.

ORDINANCE NO. 8.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. In addition to the duties now imposed on or required of the City Magistrate, the City Magistrate shall keep his office and courtroom open for the transaction of business between the hours of 9 a. m. and 12 m., 1 p. m. and 5 p. m. on each and every judicial day, and he shall observe and be constantly present and in attendance upon said court during the said hours of each juridical day; and in addition to the said hours, he shall keep his court open and observe and be in attendance at said court during such additional hours of each and every juridical day as may be necessary for the discharge of the business properly coming before said court.

Sec. 2. The City Magistrate shall personally fix and receive all bonds and bails, and shall personally collect and receive all fines, penalties, fees and other moneys,

which are now, or hereafter may be provided by law to be collected or received by him.

Sec. 3. The City Magistrate shall on the last of each and every calendar week, and as much oftener as he may be required by the City Manager, or the City Commission, pay over to the City Treasurer all fees, fines, penalties and other moneys theretofore collected by him since his last prior settlement with the City Treasurer and take the Treasurer's receipt therefor.

Sec. 4. WHEREAS, an urgent necessity exists for the prescribing of additional duties of the City Magistrate to the end that the same may be more accurately defined and the moneys coming into the hands of the City Magistrate for fees, fines and penalties may be more promptly turned over to the City Treasurer; and,

WHEREAS, the provisions of this Ordinance are necessary for the immediate preservation of the peace, health and safety of the city and for the carrying on of the government of the city and the support and maintenance of the departments thereof and the regulation of the office of the City Magistrate and of the City Chief of Police, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage, and its approval by the Mayor, and shall be published as required by the City Charter.

Passed by the Commission of the City of Phoenix this 26th day of May, 1914.

Approved this 26th day of May, 1914.

GEO. U. YOUNG,
Mayor.

Attest:
FRANK THOMAS, City Clerk.

ORDINANCE NO. 10.

An Ordinance providing that police officers shall see that proper licenses are procured and shall make report of those who have not procured necessary licenses.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. All police officers, in addition to their several duties as police officers, are hereby required to examine all places of business and all persons in their

respective beats liable to pay a license tax under the provisions of any Ordinance or Ordinances of the City of Phoenix, and to see that such licenses are procured; and shall make out once a month a list of persons, firms, associations and corporations having no licenses, with their places of business, and shall deliver such list, carefully and legibly written, to the City Collector, and shall also deliver a copy of such list to the City Auditor. Such police officers shall also report to the City Collector immediately upon the fact coming to their knowledge, the names of all persons, firms, associations or corporations doing business without a license.

Sec. 2. Any police officer failing to strictly observe and carry out the provisions of this Ordinance shall be guilty of neglect of duty and subject to summary removal from office.

Sec. 3. This Ordinance shall take effect and be in force from and after thirty days from and after its passage by the Commission and approval by the Mayor, and shall be published as required by the City Charter.

Passed by the Commission of the City of Phoenix this 23rd day of June, 1914.

Approved this 23rd day of June, 1914.

GEO. U. YOUNG,
Mayor.

Attest:
FRANK THOMAS, City Clerk.

ORDINANCE NO. 31.

An Ordinance to promote economy in the administration of the City Government.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. That the City Manager is authorized and empowered whenever and so long as in his judgment the best interests of the city and of the citizens thereof will be subserved or promoted thereby, to consolidate any of the offices, assistantships and employments created and provided for, or which may be hereafter created and provided for, by any Ordinance of the City of Phoenix, with any other office, assistantship or employment which is or may be created and provided for by city Ordinance, which is created and provided for by the terms of the City

Charter of the City of Phoenix; and he is hereby authorized and empowered to direct and require that such offices, assistantships or employments so consolidated shall be filled by one and the same person, and that the duties and services pertaining or to pertain to such offices, assistantships or employments shall be performed and rendered by one and the same person.

Sec. 2. Whenever any offices, assistantships or employments are or may be consolidated with any other office, assistantship or employment hereunder, the person appointed to fill the said consolidated offices, assistantships or employments, before entering upon the performance of the duties thereof, shall make and file his official bond, conditioned as required by law, in an amount to be fixed by the City Manager and at least equal to the largest bond required by law for either one of said offices, assistantships or employments so consolidated; and the compensation to be paid to the incumbent thereof shall be the salary or compensation provided by law for the highest salaried of the offices, assistantships or employments so consolidated, until the Commission of the City of Phoenix shall by Ordinance or resolution otherwise provide.

Sec. 3. WHEREAS, this Ordinance requires early operation in order to preserve the public peace, health and safety, and in order to more economically and efficiently conduct and administer the government and affairs of the City of Phoenix, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage by the Commission of the City of Phoenix and approval by the Mayor, and is hereby exempted from the operation of the referendum provisions of the City Charter.

Passed by the Commission of the City of Phoenix this 22nd day of December, 1914.

Approved this 22nd day of December, 1914.

GEO. U. YOUNG,
Mayor.

Attest:

FRANK THOMAS, City Clerk.

ORDINANCE NO. 52.

An Ordinance creating the office of Deputy City Clerk, and prescribing the powers and duties of such office.

Be it ordained by the City Commission of the City of Phoenix, as follows:

Section 1. The office of Deputy City Clerk is hereby created, and one or more persons may be appointed thereto.

Sec. 2. Deputy City Clerks shall be appointed by the City Manager, by and with the consent and approval of the City Commission, and shall hold office until removed by the City Manager, by and with the consent of the City Commission. He shall have and exercise all the powers, and may perform and discharge all the duties which now are or hereafter may be conferred or imposed upon the City Clerk by any law of the State of Arizona, by the City Charter of the City of Phoenix, or by any Ordinance or resolution of the city; and in addition to the aforesaid powers and duties, the Deputy City Clerk shall have and exercise and perform such other and further powers and duties as the Commission may prescribe from time to time, by Ordinance or resolution.

Sec. 3. Before entering upon the performance of the duties of such office, each Deputy City Clerk shall make and file his official bond, conditioned as required by law, in the sum of five thousand dollars ($5000.00).

Sec. 4. Each Deputy City Clerk shall receive a salary at the rate of $1200.00 per annum, payable, during his performance of the duties of such Deputy, in semi-monthly installments, which said salary shall be full compensation of and for any and all duties and services pertaining or to pertain to said office, as well as of and for all duties and services which are or may be required of them by and under lawful authority.

Sec. 5. WHEREAS, an urgent necessity exists for the immediate creating of the office of Deputy City Clerk, for the proper carrying on of the business and conduct of the affairs of the city; and,

WHEREAS, the provisions of this Ordinance are necessary for the immediate preservation of the peace, health and safety of the city, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage by the Commission, and approval by the Mayor.

Passed by the Commission of the City of Phoenix this 15th day of June, 1915.

Approved this 15th day of June, 1915.

GEO. U. YOUNG,
Mayor.

Attest:

T. TREVILLIAN, Deputy City Clerk.

ORDINANCE NO. 57.

An Ordinance providing for the retirement upon not exceeding half pay of city employees who have rendered faithful and efficient service to the city for more than ten years, or who, while in the discharge

of the duties of their employment, are permanently injured and incapacitated for future labor, through no fault or neglect of their own.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. All employees of the city who have continuously served the city for ten years or more, and who have at all times during said employment rendered faithful and efficient services to the city, and who through sickness or age are no longer able to follow said employment or to obtain or secure remunerative employment elsewhere, for good cause shown, be retired at one-half pay, either for a fixed term or for life, in the discretion of the City Commission, whenever the City Commission shall so determine and direct, by a resolution duly passed, approved and recorded.

Sec. 2. All employees of the city who may or shall be injured hereafter, while in the regular course of their employment, and in the discharge of the duties thereof, and without any fault or neglect upon their part, directly or indirectly, and who are or shall be partially or wholly incapacitated and unable to follow any other employment or earn a livelihood, may be retired for a given term or for life, upon such pay, however, not exceeding one-half of the wages received by them at the time of such injury, as the City Commission shall from time to time determine and direct, and by resolution duly passed, approved and recorded, provide.

Sec. 3. This Ordinance shall take effect and be in force from and after thirty days after its passage by the Commission of the City of Phoenix, and its approval by the Mayor, and shall be published and posted as required by the City Charter.

Passed by the Commission of the City of Phoenix this 13th day of July, 1915.

Approved this 13th day of July, 1915.

GEO. U. YOUNG,
Mayor.

Attest:
FRANK THOMAS, City Clerk.

ORDINANCE NO. 109.

An Ordinance fixing the salary of Superintendent of Streets and Superintendent of Waterworks when both of such offices shall be filled by one and the same person.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. Whenever the offices of Superintendent of Streets and Superintendent of Waterworks shall be filled by one and the same person, such person shall receive a salary of three thousand dollars ($3,000.00) per annum. Salary herein fixed shall be payable in equal semi-monthly installments and shall be in full compensation of, and for any and all duties and services pertaining

to, or to pertain to the said offices of Superintendent of Streets and Superintendent of Waterworks.

Sec. 2. Salary herein fixed shall date from the first day of December, 1915.

Passed by the Commission of the City of Phoenix this 25th day of January, 1916.

Approved this 25th day of January, 1916.

GEO. U. YOUNG,
Mayor.

Attest:
FRANK THOMAS, City Clerk.

ORDINANCE NO. 140.

An Ordinance authorizing the City Clerk to administer oaths in all matters appertaining to the affairs of the City.

Be it ordained by the Commission of the City of Phoenix, as follows:

That in all matters appertaining to the affairs of the city wherein oaths are required or permitted to be given, such oaths, unless otherwise provided by the Charter or Ordinance of the city, may be administered by the City Clerk.

Passed by the Commission of the City of Phoenix this 21st day of June, 1916.

Approved this 21st day of June, 1916.

PETER CORPSTEIN,
Mayor.

Attest:
T. TREVILLIAN, Deputy City Clerk.

ORDINANCE NO. 183.

An Ordinance creating the office of Acting City Magistrate and appointing T. Trevillian Acting City Magistrate of the City of Phoenix.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. That the office of Acting City Magistrate of the City of Phoenix be, and the same is hereby created.

Sec. 2. That in the event of the absence, sickness or other disability to act of the City Magistrate of the City of Phoenix, the duties of the office of City Magistrate shall be discharged by the Acting City Magistrate; such Acting City Magistrate shall be appointed from among the officers and servants of the City of Phoenix, and shall discharge the duties of such office, in addition to his other duties, without compensation.

Sec. 3. Amended by Ordinance 387.

Sec. 4. WHEREAS, there is no adequate provision for the holding of the City Court of the City of Phoenix during the absence, sickness or other disability to act of the City Magistrate; and,

WHEREAS, it is necessary to the preservation of the

peace, health and safety of the City of Phoenix that this Ordinance shall become immediately effective, now, therefore,

An emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage by the Commission of the City of Phoenix, approval by the Mayor and publication and posting as required by law.

Passed by the Commission of the City of Phoenix this 10th day of April, 1917.

Approved this 10th day of April, 1917.

PETER CORPSTEIN,
Mayor.

Attest:

FRANK THOMAS, City Clerk.

ORDINANCE NO. 222.

An Ordinance creating a Police Reserve of the City of Phoenix, prescribing its duties and defining its organization.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. That there is hereby created a Police Reserve of the City of Phoenix, which, until otherwise ordered by the Commission, shall consist of not more than four hundred men.

Sec. 2. No person shall be eligible to membership in the Police Reserve unless he be a citizen of the United States, of the age of eighteen years or over, and of good moral character. Before becoming a member of the Police Reserve each applicant shall subscribe to the following oath, which shall be filed with the City Clerk:

"I.....do solemnly swear that I will support the Constitution of the United States, the Constitution and Laws of the State of Arizona and of the City of Phoenix, true allegiance bear and defend the same against all enemies whatsoever; that I will observe and obey all the lawful orders of all officers appointed or set over me; and that I will truly and faithfully discharge the duties of Police Reserve of the City of Phoenix; so help me, God.

Witness my hand this.....day of....., 19.....

.....

Subscribed and sworn to before me this.....day of....., 19.....

.....
City Magistrate."

Enlistment in the Police Reserve shall be for a period of one year, but such enlistment may be terminated at any time by discharge by competent authority.

Sec. 3. The duties of the Police Reserve shall be such as are imposed by law upon police officers of the City of Phoenix. They shall make arrests and serve warrants and other processes, and perform such other like

duties and functions as may be assigned to it or any number thereof by proper authority.

Sec. 4. The Police Reserve shall be organized as follows:

The Mayor shall adopt and put into force by executive order such regulations for the government of the Police Reserve as he may deem necessary or proper. He shall in such order direct the City Manager to organize the Reserve upon a regimental basis, divided into such number of companies as he may deem expedient. Provision shall be made in such order for the appointment of such general officers of the Reserve and also for such company officers as are usual in like organizations. The Mayor shall commission all officers of the Reserve so provided for upon the appointment of the City Manager, except officers inferior in rank to that of Second Lieutenant, who shall be appointed and removed from office as such rules and regulations may provide. The Mayor in such order shall also prescribe the discipline to be enforced, and any member of the Police Reserve who shall wilfully disobey any order of his superior officer, or any rule or regulation prescribed by the Mayor for the government of the Reserve, may be dishonorably discharged from the membership of the Police Reserve by order of the City Manager upon the recommendation of its Commanding Officer.

Sec. 5. Such uniforms, arms and equipment as the Commission may deem suitable and proper shall be supplied by the city for the use of such Police Reserve.

Sec. 6. WHEREAS, public necessity requires a proper organization of a Police Reserve of the City of Phoenix for the purpose of enforcing peace in time of danger;

Now, therefore, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage by the Commission posting and publication, as provided by law.

Passed by the Commission of the City of Phoenix this 17th day of May, 1918.

Approved.

PETER CORPSTEIN,
Mayor.

Attest:

FRANK THOMAS, City Clerk.

ORDINANCE NO. 225.

An Ordinance directing that the office of City Engineer and Superintendent of Streets be Filled by one and the same person.

Be it ordained by the City Commission of the City of Phoenix, as follows:

Section 1. It is hereby ordered and directed that hereafter the office of City Engineer and the office of Superintendent of Streets may be filled and the duties thereof performed and the rights thereof exercised by one and the same person.

Sec. 2. WHEREAS, it is, in the judgment of the Commission, necessary for the immediate preservation of the best health and safety of the city that this Ordinance take effect immediately, an emergency is hereby declared to exist, and this Ordinance shall take effect from and after its passage and approval by the Mayor.

Passed by the Commission of the City of Phoenix this 5th day of June, 1918.

Approved.

PETER CORPSTEIN,
Mayor.

Attest:
FRANK THOMAS, City Clerk.

ORDINANCE NO. 387.

An Ordinance amending Section 3 of Ordinance 183 (New Series), of the City of Phoenix.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. That Section 3 of Ordinance 183 (New Series), of the City of Phoenix, be and the same is hereby amended to read as follows:

Sec. 3. Until otherwise provided, George Kirkland is hereby appointed Acting City Magistrate of the City of Phoenix.

WHEREAS, it is necessary to the public peace, health and safety that an Acting City Magistrate be appointed to take the place of T. Trevillian, present Acting City Magistrate;

Now, therefore, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage by the Commission and posting and publication as provided by law.

Passed by the Commission of the City of Phoenix this 2nd day of June, 1920.

Approved this 2nd day of June, 1920.

WILLIS H. PLUNKETT,
Mayor.

Attest:
FRANK THOMAS, City Clerk.

ORDINANCE NO. 402.

An Ordinance authorizing the City Auditor to employ an assistant, fixing the salary of such an assistant and defining his duties.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. That the City Auditor be and he is hereby authorized to employ an assistant, who shall receive a salary of one hundred seventy-five dollars ($175) per month during the term of his employment as herein provided.

Sec. 2. Said Assistant Auditor shall serve during the period of construction of the Verde River Pipe Line, and

his duties shall be confined to such matters and things only as are connected with the construction of said Verde River Pipe Line.

Passed by the Commission of the City of Phoenix this 28th day of July, 1920.

Approved this 28th day of July, 1920.

WILLIS H. PLUNKETT,
Mayor.

Attest:
HELEN C. FAHEY, Deputy City Clerk.

ORDINANCE NO. 458.

An Ordinance providing for the appointment of a City Planning Commission and fixing its powers and duties.

Be it ordained by the City Commission of the City of Phoenix, as follows:

Section 1. There is hereby created a City Planning Commission to consist of one hundred representative citizens of the City of Phoenix to be appointed by the City Commission as soon as practicable after the passage of this Ordinance. The City Manager, the City Attorney and the City Engineer shall be members of the Commission by virtue of their offices. The appointed members of the Commission shall serve for one year and until their successors are duly appointed. The members of the Commission shall serve without compensation.

Section 2. It shall be the general duty of the City Planning Commission to assist the City Commission in the adoption and the putting into effective operation a comprehensive plan of city building and improvement by reporting upon the work of the City Planner and by making recommendations with respect thereto whenever the same shall be referred to it by the City Commission, and by recommending to the City Commission from time to time amendments to the City Charter, Ordinances creating districts or zones, classifying, regulating and restricting the location of trades, industries or businesses or the location of buildings designed for specific uses, to such districts or zones, Ordinances providing for the purchase of sites for city buildings, parks and other city improvements, Ordinances providing for the vacation, opening, widening or other changes in streets and other public ways, and the ornamentation of such sites, streets, grounds and public places, and also by recommending such other Ordinances as it may deem necessary and proper in the premises and that may tend, through such comprehensive plan, to promote the public health, comfort, safety, convenience, utility or welfare.

Sec. 3. The City Planning Commission may select its own Chairman and Secretary and appoint such committees as it may deem desirable. It shall make its own rules and regulations. Its reports or recommendations to the City Commission shall be signed by its Secretary, who shall, when desired, furnish the Commission with the facts as to the adoption of any such report or recommendation, and particularly with reference to the number

of the members of the Commission who participated at the meeting at which any such report or recommendation was authorized, and such other information as to the work of the City Planning Commission as the City Commission may request.

Passed by the City Commission of the City of Phoenix this 16th day of March, 1921.

Approved.

WILLIS H. PLUNKETT,
Mayor.

Attest:

FRANK THOMAS, City Clerk.

ORDINANCE NO. 479.

An Ordinance creating the office of City Fire Inspector, defining his powers and duties and providing penalties, with an emergency clause.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. That there is hereby created the office of City Fire Inspector. The City Fire Inspector shall be a member of the Phoenix Fire Department, and shall be appointed by the Chief of the Fire Department, by and with the advice and consent of the City Manager. He may have such deputies as may, from time to time, be deemed necessary by the City Manager, and such deputies shall be appointed from among the members of the Fire Department by the Chief of the Fire Department. The City Fire Inspector shall be at all times answerable to the Chief of the Fire Department, and shall follow and obey his instructions.

Sec. 2. It shall be the duty of the City Fire Inspector to enforce all laws and Ordinances of the City of Phoenix, covering the following:

1. The prevention of fires;
2. The storage and use of explosives and inflammables;
3. The installation and maintenance of automatic and other fire alarm systems, and fire extinguishing equipment;
4. The maintenance and regulation of fire escapes;
5. The means and adequacy of exit in case of fire, from factories, schools, hotels, lodging houses, asylums, hospitals, churches, halls, theaters, amphitheatres, and all other places in which numbers of persons work, live or congregate, from time to time, for any purpose;
6. The investigation of the cause, origin, and circumstance of fires.

He shall have such other powers and perform such other duties as may be set forth in other sections of this Ordinance, and as may be conferred and imposed from time to time by law. The Chief of the Fire Department may delegate any of his powers or duties under this Ordinance to the City Fire Inspector.

Nothing herein provided shall in any way be construed to restrict or limit any of the duties or powers heretofore imposed or conferred upon the City Inspector of Buildings, but shall be deemed to be concurrent therewith.

Sec. 3. The City Fire Inspector shall investigate the cause, origin and circumstance of every fire occurring in the city by which property has been destroyed or damaged, and, so far as possible, shall determine whether the fire is the result of carelessness or design. Such investigations shall be begun immediately upon the occurrence of such a fire, and if it appears to the officer making such investigation that such fire is of suspicious origin, the Chief of the Fire Department shall be immediately notified of the fact; he shall take charge immediately of the physical evidence, shall notify the proper authorities designated by law to pursue the investigation of such matters, and shall further co-operate with the authorities in the collection of evidence and in the prosecution of the case. Every fire shall be reported in writing to the Chief of the Fire Department within two days after the occurrence of the same, by the City Fire Inspector. Such report shall be in such form as shall be prescribed by the Chief of the Fire Department, and shall contain a statement of all facts relating to the cause, origin and circumstance of such fire, the extent of the damage thereof, and the insurance upon such property, and such other information as may be required.

Sec. 4. Before licenses or permits may be issued for the keeping, storage, use, manufacture, sale, handling, transportation or other disposition, of highly inflammable materials and rubbish, crude petroleum or any of its products, gun or blasting powder, dynamite, or explosives of any kind, including fireworks, fire crackers, and signalling explosives the City Fire Inspector shall inspect and approve the receptacles, vehicles, buildings or storage places to be used for any such purposes.

Sec. 5. The City Fire Inspector, or a Deputy specially designated thereto, shall inspect, as often as may be necessary, but not less than four times a year, all specially hazardous manufacturing processes, storages or installations, of acetylene or other gases, chemicals, oils, explosives and inflammable materials, all interior fire alarms and automatic sprinkler systems, and such other hazards or appliances as the Chief of the Fire Department shall designate, or as may exist, and shall make such orders as may be necessary for the enforcement of the laws and Ordinances governing the same and for safeguarding of life and property from fire.

Sec. 6. It shall be the duty of the Chief of the Fire Department to inspect, or cause to be inspected by the City Fire Inspector, as often as may be necessary, but not less than twice a year in outlying districts and four times a year in the closely built portions of the city, all buildings, premises and public thoroughfares except the interiors of private dwellings, for the purpose of ascertaining and causing to be corrected any conditions liable to

cause fire, or any violations of the provisions or intent of any Ordinance of the city affecting the fire hazard.

Whenever the City Fire Inspector shall find in any building, or upon any premises or other place, combustible or explosive matter or dangerous accumulations of rubbish or unnecessary accumulation of waste paper, boxes, shavings, or any highly inflammable materials especially liable to fire, and which is so situated as to endanger life or property; or shall find obstructions to or on fire escapes, stairs, passageways, doors or windows, liable to interfere with the operations of the Fire Department or egress of occupants, in case of fire, he shall order the same to be removed or remedied, and such order shall forthwith be complied with by the owner or occupant of such premises or buildings, subject to appeal within twenty-four hours to the Chief of the Fire Department, as provided in Section 7 of this Ordinance.

Any owner or occupant failing to comply with such order within a reasonable period after the service of the said order, shall be liable to a penalty as hereinafter provided.

The service of any such order may be made upon the occupant of the premises to whom it is directed, either by delivering a copy of same to such occupant personally or by delivering the same to and leaving it with any person in charge of the premises, or in case no such person is found upon the premises, by affixing a copy thereof in a conspicuous place on the door to the entrance of the said premises. Whenever it may be necessary to serve such an order upon the owner of premises, such order may be served either by delivering to and leaving with the said person a copy of the said order, or, if such owner is absent from the jurisdiction of the officer making the order, by mailing such copy to the owner's last known postoffice address.

Sec. 7. The City Fire Inspector, upon the complaint of any person, or whenever he shall deem it necessary, shall inspect all buildings and premises within the corporate limits of the city. Whenever the City Fire Inspector shall find any building or other structure which, for want of repairs, lack of, or insufficient, fire escapes, automatic or other fire alarm apparatus or fire extinguishing equipment, or by reason of age or dilapidated condition, or from any other cause, is especially liable to fire, and which is so situated as to endanger other property or the occupants thereof, and whenever such officer shall find in any building combustible or explosive matter or inflammable conditions dangerous to the safety of such buildings or the occupants thereof, he or they shall order such dangerous conditions or materials to be removed or remedied, and such order shall forthwith be complied with by the owner or occupant of such premises or buildings. If such order is made by the City Fire Inspector, such owner or occupant may within twenty-four hours appeal to the Chief of the Fire Department, who shall, within five days, review such order and file his decision thereon, and unless by his authority the order is

revoked or modified it shall remain in full force and be complied with within the time fixed in said order or decision of the Chief of the Fire Department;

Provided, however, that any such owner or occupant may, within five days after the making or affirming of any such order by the Chief of the Fire Department, file his petition with the City Court, praying a review of such order, and it shall be the duty of such court to hear the same within not less than five days nor more than ten days from the time the petition is filed, and to make such order in the premises as right and justice may require, and such decision shall be final. Such parties so appealing to the City Court shall file with said court within two days a bond in an amount to be fixed by the Court, to be approved by the Court, conditioned to pay all the costs of such appeal in case such appellant fails to sustain his appeal or the same be dismissed for any cause. In event of such appeal the City Court shall, on request of the Chief of the Fire Department or the appellant, subpoena such witnesses as they may request.

Sec. 8. The Chief of the Fire Department, the City Fire Inspector, or any Deputy Inspector may, at all reasonable hours, enter any building or premises within the corporate limits of the City, for the purpose of making any inspection or investigation which, under the provisions of this Ordinance, he or they may deem necessary to be made; provided, however, that nothing in this section shall be construed to apply to the interior of private dwellings.

Sec. 9. The City Attorney, upon request of the Chief of the Fire Department, shall assist the City Fire Inspector in the investigation of any fire which, in their opinion, is of suspicious origin.

Sec. 10. It shall be the duty of the Chief of the Fire Department to require teachers of public, private and parochial schools and educational institutions to have one fire drill each week, and to keep all doors and exits unlocked during school hours.

Sec. 11. The Chief of the Fire Department shall keep, in his office, a record of all fires and of all the facts concerning the same, including statistics as to the extent of such fires and the damage caused thereby, and whether such losses were covered by insurance, and if so, in what amount. Such record shall be made daily from the reports made by the City Fire Inspector under the provisions of this Ordinance. All such records shall be public.

Sec. 12. The City Fire Inspector shall report monthly to the Chief of the Fire Department, which report shall be transmitted to the City Manager. It shall contain all proceedings under this Ordinance, with which statistics as the Chief of the Fire Department may wish to include therein.

Sec. 13. Any officer referred to in this Ordinance who refuses or neglects to perform the duties herein imposed upon him shall be removed from office.

Sec. 14. Any person or persons, firm or corporation,

violating any of the provisions of this Ordinance, or neglecting to comply with any order issued pursuant to any section thereof, shall be guilty of a misdemeanor, and upon conviction, shall be punished by a fine not exceeding Three Hundred ($300.00) Dollars, or by imprisonment in the City Jail for a period not to exceed 180 days, or by both, and each day's failure or neglect to comply with any reasonable order made pursuant to any provision of this Ordinance shall be deemed to be a separate offense.

Sec. 15. Whereas, it is necessary to the preservation of the public peace, health and safety that this Ordinance become immediately effective an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage by the Commission, approved by the Mayor, posting, and publication, as by law required.

Passed by the Commission of the City of Phoenix, this 3d day of June, 1921.

Approved this 3d day of June, 1921.

WILLIS H. PLUNKETT,
Mayor.

Attest:

FRANK THOMAS, City Clerk.

ORDINANCE NO. 541.

An Ordinance amending Ordinance No. 224, entitled "An Ordinance establishing a Park and Playground Board for the City of Phoenix", by adding thereto a provision for the appointment of a Park Superintendent and the fixing of his powers and duties and by further adding thereto a provision permitting said Board to receive donations, legacies and bequests for park and playground purposes and the disposition of the same.

Be it Ordained by the Commission of the City of Phoenix as follows:

That Ordinance No. 224, entitled "An Ordinance Establishing a Park and Playground Board for the City of Phoenix," be amended so as to read as follows:

Section 1. There is hereby established a Park and Playground Board for the City of Phoenix which shall consist of five members to be appointed by the Commission, each of whom shall be a resident taxpayer of the city and an elector thereof, and each of whom shall serve for two years and until his successor shall be appointed and qualify, and without compensation.

Sec. 2. It shall be the duty of said Park and Playground Board to formulate a general plan for the creation of a park and playground system for the city with a view to its future growth and development; to secure plans and estimates for work necessary to be done each year in furtherance of said system and to submit the same to the Commission for approval and appropriate action, and to perform such administrative duties as may by Ordinance be conferred upon it. Said Board may make and enforce such rules and regulations appertaining to its own government and the conduct of such administra-

tive duties as may by Ordinance be conferred upon it as it may deem necessary and proper.

Sec. 3. The office of Park Superintendent is hereby created, which officer shall be appointed by the City Manager by and with the consent of the Commission. In making such appointment the City Manager shall consider any recommendations that may be made by the Park and Playground Board relative thereto. The Park Superintendent shall be subject to removal at any time by the City Manager, provided, however, that any vacancy thus created is to be filled as hereinbefore provided. The salary of the Park Superintendent shall be as fixed by the City Commission.

Sec. 4. It shall be the duty of the Park Superintendent to supervise the care, maintenance and improvement of the parks and public playgrounds of the City under the direction of the Park and Playground Board, provided, however, that he shall not purchase any materials, hire any labor or create any other expense chargeable against the city without the approval of the City Manager. The supervision and control of the parks of the City and of all trees, grass and foliage growing in and upon any of said parks or public playgrounds of the city, heretofore vested in the Superintendent of Streets, shall hereafter vest in said Park Superintendent subject to the limitations herein prescribed.

Sec. 5. The Board of Parks and Playgrounds may, for and in behalf of the City of Phoenix, receive donations, legacies or bequests for the purpose of the acquisition, improvement or maintenance of parks and playgrounds within the city which, unless otherwise provided by the terms of such donations, legacies, or bequests, shall be deposited with the Treasurer of the City to the credit of the park and playground funds and be expended as may be provided by Ordinance.

Sec. 6. All Ordinances and parts of Ordinances in conflict with this Ordinance are hereby repealed.

Sec 7. Whereas, it is, in the judgment of the Commission, necessary for the immediate preservation of the best health and safety of the City that this Ordinance take effect immediately, an emergency is hereby declared to exist, and this Ordinance shall take effect from and after its passage and approval by the Mayor.

Passed by the Commission of the City of Phoenix this 16th day of November, 1921.

Approved:

J. A. R. IRVINE,
Vice-Chairman.

Attest:

FRANK THOMAS, City Clerk.

CHAPTER VIII.
MEETINGS OF COMMISSION.

ORDINANCE NO. 9.

An Ordinance prescribing the method of procedure for the passage of Ordinances by the Commission of the City of Phoenix.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. That all proposed Ordinances shall hereafter be read in full at the meeting of the Commission when introduced, and, if there be no objection, shall be read a second time by title, and thereupon may be referred to a committee to investigate and report at the next meeting, or action thereon may be postponed to the next meeting without referring the same to a committee, as the Commission may determine.

At the next succeeding meeting of the Commission, if such committee shall report thereon, or if action thereon shall not be again deferred by the Commission, the said proposed Ordinance shall be taken up as unfinished business and again read in full, unless the Commission shall unanimously consent that it may be read by title, and after reading, either in full or by title, shall be placed upon its final passage.

Provided, however, that in special or emergency cases any proposed Ordinance may be placed upon its third reading and final passage at the same meeting as first introduced, upon the unanimous consent of the Commission being first had and obtained.

Sec. 2. This Ordinance shall be in effect from and after its passage, and shall be published as required by the City Charter.

Passed by the Commission of the City of Phoenix this third day of June, 1914.

GEO. U. YOUNG,
Mayor.

Attest:
FRANK THOMAS, City Clerk.

ORDINANCE NO. 150.

An Ordinance fixing the time for the holding of regular meetings of the City Commission and determining the order of procedure at such meetings, and providing for the calling of special meetings of the City Commission.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. The Commission shall meet regularly for the transaction of business on each Wednesday of each and every month at the hour of 10 o'clock a. m. in the City Hall of the City of Phoenix, and no notice of said regular meetings shall be required to be given.

Sec. 2. The order of business at all such meetings, unless otherwise directed, by a majority vote of the members present, shall be as follows:

1. Roll call.
2. Reading and approval of the minutes of the previous meeting.
3. Consideration of pending Ordinances.
4. Introduction and consideration of new Ordinances.
5. Consideration of pending petitions, resolutions and protests relating to street improvements.
6. Consideration of new petitions, resolutions and protests relating to street improvements.

7. Miscellaneous business.
8. Hearing of citizens present who may desire to address the Commission upon any subject appertaining to city affairs, provided that any matter so discussed must relate to some matter brought to the attention of the Commission in the form of a written communication.

Sec. 3. Special meetings of the City Commission may be called by the Mayor or by three members of the Commission. Every such call shall be in writing and filed with the City Clerk and shall set forth the time such meeting is to be held and shall also state the purpose for which it is called and what matters, questions and business shall be brought before, heard or considered at such meeting.

Upon the filing of a call for a special meeting, the City Clerk shall forthwith give notice thereof to each member of the Commission, either by reading such call to such Commissioner personally or over the telephone, or by causing a copy of said call to be served upon said Commissioner; and in the event personal service cannot be had upon any Commissioner, then by causing a copy of such call to be left at the residence of such Commissioner. Such notice shall be complete at least four hours before any such special meeting is held.

Sec. 4. The City Clerk is hereby authorized to call upon any member of the City Police force, or upon any employee of the city not otherwise engaged, to make service of copies of such call upon the Commissioners.

Sec. 5. Any irregularity or failure of proper or sufficient notice to any Commissioner of any special meeting of the Commission shall be waived and cured by the presence of such Commissioner at such special meeting or by such Commissioner filing with the City Clerk, at or before the time of holding such meeting, a written waiver of notice thereof and consent that such meeting may be held.

Sec. 6. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed, and this Ordinance shall be in full force and effect from and after thirty days from its passage by the Commission and approval by the Mayor.

Passed by the Commission of the City of Phoenix this 2nd day of August, 1916.

Approved this 2nd day of August, 1916.

PETER CORPSTEIN,
Mayor.

Attest:
FRANK THOMAS, City Clerk.

CHAPTER IX.

TAXES AND TAX LEVIES.

ORDINANCE NO. 27.

An Ordinance regulating the annual levy, assessment and collection of city taxes.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. The fiscal year of the City of Phoenix shall commence on the first day of July of each year, and shall end on the thirtieth day of June of each year thereafter.

Sec. 2. On or before the first Monday in May of each year, the Manager of the City of Phoenix shall prepare, or cause to be prepared, a careful estimate, in writing, of the amounts of money, specifying in detail the objects thereof, required for the business and conduct of the affairs of the City of Phoenix during the next ensuing fiscal year, stating in detail the amount required to meet all expenditures necessary for city purposes, including interest and sinking funds for outstanding indebtedness, if any, therein; also an estimate of the amount of income expected from all sources from every department, and the probable amount required to be raised by taxation to cover such expenditures, interest and sinking funds.

The Commission shall meet at its usual place of holding meetings on the second Tuesday in June of each year, and make a budget of the estimated amounts required to pay the expenses of, and to conduct, the city government for the ensuing year. The budget shall be prepared so as to show the aggregate sum, and in detail the items thereof, allowed to each department, office and subdivision of the city government. The budget shall also contain a statement of the receipts for the previous year and an estimate of the receipts for the ensuing year from sources other than direct property taxation, and the amount or amounts proposed to be raised by taxation upon the real and personal property within the city. Said budget shall be published in the official newspaper of the city for at least two publications, and the Commission shall meet at its usual place of holding meetings not later than the second Tuesday in July, when and where any taxpayer who may appear shall be heard in favor or against any proposed tax levies, and upon such hearing the Commission may modify or amend any item or items of expenditures in said proposed budget, and after the conclusion of such hearing the Commission shall adopt said proposed budget, as finally corrected, as the city budget for the ensuing year.

Sec. 3. The Commission shall finally adopt, not later than the third Tuesday in July, an Ordinance levying upon the assessed valuation of all the property within the city, subject to taxation, a rate of taxation upon every hundred dollars of valuation sufficient to raise the amounts estimated in the annual budget to be required to be raised by taxation. And except as herein otherwise provided, the rules, practices and procedure which now are, or hereafter may be, provided by state law for the levy, assessment and collection of state and county taxes, shall govern and control the corresponding city officials in the levy, assessment and collection of city taxes of the City of Phoenix, so far as the same are, or may be, applicable and not in conflict with the City Charter or any Ordinance of the City of Phoenix.

Sec. 4. The City Assessor and ex-officio City Col-

lector between the first Monday in January and the first Monday in May of each year, shall ascertain by diligent inquiry and examination all property in the city, real, personal and mixed, subject to taxation; also the names of all persons, firms, associations and corporations owning or claiming the same or any interest therein, or having possession or control thereof, and shall determine the full cash value of all such property, and shall list and assess the same to the person, firm, association or corporation owning or having the possession, charge or control thereof, and shall prepare, complete and file for equalization an assessment roll thereof with the Commission.

In preparing said assessment roll, the said City Assessor and ex-officio City Collector may demand of each person, firm, association and corporation, and from the president, cashier, treasurer or managing agent of every firm, association and corporation a correct list, under oath or affirmation, of all the property, real, personal and mixed, within the City of Phoenix, owned or claimed by, or in the possession or control of, such person, firm, association or corporation. And he shall also have the power and authority to call upon any person, firm, association or corporation, and upon any officer or agent in charge thereof, for any information bearing upon the subject of the valuation of the list of taxable property or pertaining thereto, and the further power and authority to examine any and all maps, drawings, books, invoices, records, papers and documents belonging to such person, firm, association or corporation, and shall have power to summon witnesses to appear and testify, and to compel them to produce maps, drawings, books, invoices, records, papers and documents before him, at a time and place to be by him appointed, and shall have power to administer oaths at all such examinations.

He shall also have power, and is hereby directed, at the expense of the city, to make written request of, and to secure from, the County Assessor of Maricopa County, Arizona, a complete certified copy of the County Assessor's assessment roll, of both real and personal property, so far as such assessment roll pertains to property within the limits of the City of Phoenix, under the provisions of paragraph 4877 of the Revised Statutes of Arizona, 1913.

And, where by law the assessment of any particular property or class of property within the city is authorized or directed to be made by some state officer or officers, the value as so fixed by such state officer or officers may be accepted and followed by the said City Assessor and ex-officio City Collector in the preparation of said assessment roll.

Sec. 5. The Commission shall meet at the usual place of holding meetings on the second Monday in May of each year, at ten o'clock in the forenoon of said day, and sit as a Board of Equalization, and shall continue in session from day to day for twenty days, at least five days' published notice thereof being previously given. It shall have full power to correct, modify, strike out, reduce

or raise any assessment shown in the assessment roll prepared by the City Assessor and ex-officio City Collector; provided, that the Commission shall give a notification of any proposed raise to each person whose assessment is proposed to be raised, by publishing at least twice in the official newspaper a notification of such proposed raise, or by sending him, through the United States post-office, properly directed and stamped, a notification of such proposed raise.

Sec. 6. After the equalization of city taxes by the Commission sitting as a Board of Equalization, and after the adoption of the Ordinance making the tax levy for the fiscal year, the assessment roll, as equalized, shall be delivered to the City Clerk to compute and carry out the amount of tax so levied upon each parcel of property contained in said assessment roll, and the said City Clerk shall thereupon compute and carry out thereon the taxes so levied, and shall certify the same as the assessment roll of the city, and thereupon shall deliver the said assessment roll, so certified, to the Commission, and when the same is adopted by the said Commission as the tax roll, the Mayor shall attach his warrant thereto, authorizing the City Assessor and ex-officio City Collector to collect the taxes therein, and the said warrant shall be the authority of the City Assessor and ex-officio City Collector to proceed to collect the said taxes.

Sec. 7. Every tax due upon real property is a lien against the property assessed, and every tax due upon improvements upon real property, whether assessed to the owner of said real estate or assessed to others than the owner of said real estate, is a lien upon the land and improvements, which several liens attach as of the first Monday in January preceding the assessment and levy thereof. Every tax due upon personal property is a lien upon said property and also upon the real property of the owner thereof, on, from and after the first Monday in January preceding the assessment and levy thereof. And the liens hereby created are and shall be first liens and prior and superior to any and all liens theretofore or thereafter existing upon or attaching to said property, except only liens thereon for state and county taxes, and as to such tax liens shall be equal and concurrent; and the liens hereby created shall continue and remain in full force and effect until the full amount of taxes, penalties, percentages, charges and costs has been paid to the city, or until the title to the property charged with such lien has become finally vested in the purchaser thereof under proper sale, pursuant to judicial or other proceedings to enforce said lien.

Sec. 8. The taxes on all personal property not secured by real property shall be due and payable upon the assessment and levy thereof, and shall become delinquent ten days thereafter. The taxes on all personal property secured by real property, and one-half of the taxes on all real property, shall be due and payable on the second Monday in October after the assessment and levy thereof, and shall be delinquent on the second Monday in November

next thereafter at six o'clock p. m., and unless paid prior thereto, fifteen per cent will be added to the amount as delinquent penalty, and if said one-half be not paid before the second Monday in April following, at six o'clock p. m., an additional five per cent will be added thereto.

The remaining one-half of the taxes on all real property will be due and payable on the first Monday in March after the assessment and levy thereof, and shall become delinquent on the second Monday in April following at six o'clock p. m., and unless paid prior thereto five per cent will be added to the amount thereof as delinquent penalty.

All taxes may be paid at the time the first installment, as herein provided, becomes due and payable, and the taxes on any particular lot, piece or parcel of land contained in any assessment may be paid separately from the whole assessment, if such lot, piece or parcel has a separate valuation on the assessment roll, by paying the amount of taxes due on such lot, piece or parcel, with a proper proportion of the amounts due as taxes on personal property and penalties, if any. And where a tract of land is assessed in entirety to one or more persons, and a part of the land belongs to a person not appearing on the assessment, such person may pay his proportion of the whole tax, together with a proper proportion of the amounts due as taxes on personal property and penalties, if any.

Sec. 9. The City Assessor and ex-officio City Collector shall proceed to collect by distress and sale all taxes due on personal property not secured by real estate, immediately upon the same becoming delinquent. Such sale of personal property must be at public auction, after one week's notice of the time and place thereof, given by not less than two publications in the official newspaper.

For seizing and selling personal property as provided in this section, the City Assessor and ex-officio City Collector shall charge the sum of three dollars as costs of such sale, and a penalty of one per cent per month from and after the same became delinquent, and on payment of the price bid for such property and the delivery thereof, together with a bill of sale therefor executed by the said City Assessor and ex-officio City Collector, all title and interest thereto shall vest in the purchaser, free of all claims, incumbrances and liens, except liens for state and county taxes. From the moneys received by him from the sale of such personal property, the City Assessor and ex-officio City Collector shall pay to the City Treasurer the amount of the taxes due thereon, together with all penalties, percentages and charges, and all moneys remaining from the proceeds of said sale, after the payment of taxes, percentages, penalties and charges, shall be returned to the owner, his heirs, or assigns, of the property so sold, and until lawfully claimed shall be deposited with the City Treasurer subject to the owner's order. All sales of personal property for delinquent taxes, as provided in this section, shall take place at the front door of the City Hall of the City of Phoenix, and, except as herein other-

wise provided, shall be conducted in accordance with the laws of the State of Arizona providing for the sale of personal property for delinquent state and county taxes, so far as the same may be applicable.

All taxes upon real estate not paid at the times herein provided, and all taxes upon personal property secured by a lien upon real property, and not paid at the times herein provided, shall become and be delinquent from and after the times herein specified for the payment thereof. On the second Monday in April of each year the City Assessor and ex-officio City Collector shall, at the close of his official business on that day and after the hour of six o'clock p. m., enter upon the tax roll a statement that he has made a levy upon all property therein assessed, the taxes upon which have not been paid, and he shall immediately ascertain the several amounts of taxes then delinquent, carry out the same upon the roll in a separate column, and add up the column, enter the total on the roll, and verify the same by the oath of himself or deputy, and the same shall be known as the "City delinquent list;" and shall then enter the same alphabetically in a book to be known as the "back tax roll;" all of which shall be completed by the third Monday in April of each year. And on the third Monday in April of each year the City Assessor and ex-officio City Collector shall report to the Commission the amount of taxes charged to the said City Assessor and ex-officio City Collector during the year, the total collections for the year, the amounts of exemptions, refunds, errors and errors in the roll, and the total amount of the delinquent list as shown in said back tax roll, and the said Commission shall examine and compare the delinquent list and back tax roll, and if any property has been assessed more than once, or if any property is not subject to taxation, or if any property be incorrectly described, the said Commission shall correct such errors by the best means in its power and cause the delinquent list and back tax roll, so corrected, to be certified to by the Mayor and redelivered to the City Assessor and ex-officio City Collector. And it shall be the duty of the City Assessor and ex-officio City Collector to proceed to enforce the lien of the city therefor and thereon.

Not earlier than thirty days nor later than sixty days after the certification of the said delinquent list and back tax roll, as hereinbefore provided, suit shall be filed by the City Assessor and ex-officio City Collector in the Superior Court of the State of Arizona in and for the County of Maricopa, in the name of the City of Phoenix, to enforce payment of such delinquent taxes and to foreclose the lien of the city therefor; and it shall be the duty of the City Attorney to prepare all pleadings, papers and notices in all suits for the collection of delinquent taxes, and to prosecute the same to final determination. And the rules and procedure prescribed by law for the collection of delinquent state and county taxes and the enforcement of the lien of the state therefor and the foreclosure of said lien and the sale of property under judg-

ment and the issuance of certificate of sale and the execution of deed pursuant to such sale, in the absence of redemption within six months, shall apply to and govern all suits and proceedings for the collection of city delinquent taxes and the enforcement of the lien of the city therefor, as far as the same may be applicable, and except as may be herein or hereafter provided. Provided, however, that upon foreclosure of any such tax lien the court may provide in its judgment of foreclosure that the said property shall be sold by the City Assessor and ex-officio City Collector instead of by the Sheriff of Maricopa County, and that the certificate of sale shall be issued by the said City Assessor and ex-officio City Collector, and that, unless the property be redeemed from such sale within a period of six months, the City Assessor and ex-officio City Collector shall execute to the purchaser deed therefor.

But no failure of the City Assessor and ex-officio City Collector to properly return the delinquent list, and no irregularity in the assessment or omissions in the same, or irregularity of any kind in any proceedings shall invalidate any such proceedings or invalidate any title conveyed by any tax deed, nor shall any failure or neglect of any officer or officers to perform any of the duties assigned to him or them on the day or within the time specified, work any invalidation of any proceedings or of any such deed or sale, or affect the validity of the assessment and levy of taxes or of the judgment and sale by which the collection of the same may be enforced, or in any manner affect the lien of the city upon such real estate for the delinquent taxes unpaid thereon, and no overcharge as to a part of taxes or of costs shall invalidate any proceedings for the collection of taxes or the foreclosure of the lien therefor, or a sale of the property under such foreclosure; and all acts of officers de facto shall be as valid as if they were officers de jure.

Any person entitled by law to redeem property sold under execution may redeem such property from any tax sale at any time within six months after sale, by paying to the City Assessor and ex-officio City Collector the amounts of said judgment, taxes, charges, penalties, percentages and costs. Should no redemption be made within the period prescribed by law and this Ordinance, deed shall issue to the purchaser at the end of such period of redemption. Such deed shall convey to the grantee an estate in fee simple, free and clear of all liens and incumbrances, except liens for state and county taxes.

Any deed issued pursuant to foreclosure of any tax lien shall be prima facie evidence of the regularity of any and all proceedings preceding and leading up to its execution and delivery, and shall be conclusive evidence of the truth of each and every recital therein contained.

Whenever any real estate is offered for sale for city taxes due thereon, and there is no bidder therefor, the same shall be struck off and sold to the city in like case, in like manner, with like effect, and with like right of

redemption as it may be struck off and sold to the state when offered for sale for state and county taxes.

WHEREAS, this Ordinance requires immediate operation in order to preserve the public peace, health and safety, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage by the Commission and approval by the Mayor, and is hereby exempted from the referendum provision of the City Charter.

Passed by the Commission of the City of Phoenix this first day of October, 1914.

Approved this first day of October, 1914.

GEO. U. YOUNG,
Mayor.

Attest:
FRANK THOMAS, City Clerk.

CHAPTER X.

STREETS AND ALLEYS.

ORDINANCE NO. 350.

An Ordinance concerning house numbering.

The Common Council of Phoenix do ordain as follows:

Section 1. The numbering of all houses fronting upon the public streets, avenues and thoroughfares within the City of Phoenix shall be in conformity with the decimal system and the following rules:

First: The intersection of Center and Washington streets shall be the initial points of numbering all blocks and buildings of the City of Phoenix, as follows:

1. All buildings fronting on east and west streets which intersect or start from Center street, beginning with numbers one (1) and two (2) adjoining said Center street, shall be numbered progressively therefrom through each block. Following the intersection of each numbered street or avenue the numbering shall again begin with numbers one (1) or two (2) plus the number of hundreds which is indicated by the number of said intersecting street or avenue.

2. All buildings fronting on north and south streets which intersect or start from Washington street, beginning with numbers one (1) and two (2) adjoining said Washington street, shall be numbered progressively therefrom through each block. Following the intersection with each of the following named streets the numbering shall begin with numbers one (1) and two (2), plus the number of hundreds to be determined as follows:

North of Adams and south of Jefferson streets, one hundred (100).

North of Monroe and south of Madison streets, two hundred (200).

North of Van Buren and south of Jackson streets, three hundred (300).

North of Polk and south of Harrison streets, four hundred (400).

North of Taylor and south of Buchanan streets, five hundred (500).

North of Fillmore and south of Lincoln streets, six hundred (600).

North of Pierce and south of Grant streets, seven hundred (700).

North of McKinley and south of Sherman streets, eight hundred (800).

North of Garfield and south of Hadley street, nine hundred (900).

North of Roosevelt and south of Tonto streets, ten hundred (1,000).

North of Portland and south of Maricopa streets, eleven hundred (1,100).

North of Westmoreland and south of .....,
twelve hundred (1,200).

3. Buildings fronting on Grand avenue shall be numbered progressively northwesterly from Seventh avenue, beginning with numbers seven hundred and one (701) and seven hundred and two (702) in conformity with the rule for numbering buildings fronting on east and west streets.

4. Buildings fronting on the north and west sides of streets and avenues shall be designated by even numbers, and buildings fronting on the south and east sides of streets or avenues shall be designated by odd numbers. Each odd number shall be placed as nearly as possible opposite the following consecutive even number.

5. For the purpose of this Ordinance the front of each lot within the area bounded on the north by Van Buren street, on the east by Seventh street, on the south by the south line of the north half of Section Eight, Township One North, Range Three East, Gila and Salt River Base and Merdidian, and Harrison street; on the west by Seventh street; except the lots fronting on Van Buren street, Seventh street, Harrison street and Seventh avenue, shall be divided into an equal number of parts, each part approximating twelve and one-half feet, as nearly as may be, and one number shall be assigned to each of said parts. The fronts of all other lots in the City of Phoenix, as the same are laid out and recorded in the office of the County Recorder, shall be divided into an equal number of parts, approximating twenty-five feet, as nearly as may be, and one number shall be assigned to each of said parts.

For the purpose of this Ordinance, a block shall be held to mean the space between consecutive streets or avenues named in paragraphs 1 and 2 of Section 1 of this Ordinance and Yavapai street, as the same is upon the ground, but none other.

7. When any street or avenue named herein intersects any other street or avenue from one side only, the numbering on the opposite side of such intersected street or avenue shall be initiated at the lot corner most nearly

opposite that side of the street which lies farthest from the initial point.

Sec. 2. It shall be the duty of the City Engineer to prepare the necessary maps and records of all lot numbers in the city, which maps shall be kept on file in the office of the City Recorder and shall be opened for examination to all persons during the regular office hours of said City Recorder.

Sec. 3. All owners or occupants of houses, now erected or which may hereafter be erected within said city, are hereby required to number their houses in conformity with the provisions of this Ordinance and the regulations thereof. And any owner or occupant of any house now erected, or hereafter to be erected, who shall fail to number said house as aforesaid within sixty days after the taking effect of this Ordinance, or who shall number any house otherwise than in conformity with the provisions hereof, and the rules and regulations of this Ordinance, shall incur a penalty of not exceeding five (5) dollars for each and every such offense.

Sec. 4. All Ordinances or parts of Ordinances in conflict herewith, and especially Ordinance No. 117, are hereby repealed.

Sec. 5. This Ordinance shall take effect and be in force from and after its passage, approval and publication for ten days in a newspaper published in the City of Phoenix, Arizona Territory.

Passed by the Common Council this 8th day of March, A. D. 1904.

Approved this 8th day of March, 1904.

WALTER BENNETT.

Attest:

W. C. FOSTER, Acting City Recorder.

ORDINANCE NO. 226.

An Ordinance establishing lines for porch posts, telephone, telegraph, electric light and trolley poles upon the streets and alleys of the City of Phoenix.

The Common Council of Phoenix do ordain as follows:

Section 1. On all streets having fourteen (14) feet and sixteen (16) feet curb lines, the outer edge or side of the porch posts is to be placed thirteen and one-half (13½) feet from the property line and on a line at right angles thereto and towards the center of the street. And on all streets having twelve (12) feet curb lines the outer edge or side of the porch posts is to be placed eleven and one-half (11½) feet from the property line, and on a line at right angles thereto and towards the center of the street. No porch post to be placed at block corners inside of street intersections.

Sec. 2. Telephone, telegraph, electric light and trolley poles and all other poles that may be placed upon the streets and avenues, the street side of poles is to be placed flush with the inside of curb (said curb being six

(6) inches wide, no poles to be placed at block corners inside of street intersections, and all poles between block corners to be placed in line with lot lines or partition walls that are right angled or nearly so, to curb line, except on streets that have the same direction as lot lines, then said poles shall be placed in line with building or partition walls that are right angled or nearly so, to curb line, and the street side of pole to be placed flush with the inside of curb.

Sec. 3. And all poles that may be placed upon alleys twenty-five (25) feet wide, the alley side of pole shall be placed three and one-half (3½) feet from the alley property line and parallel thereto and towards the center of alley.

All poles that may be placed upon alleys twenty (20) feet wide (including Wall street) shall be placed up to and flush with the property line, and side arms shall be used to carry the wires.

And all poles in alleys at alley corners, where alleys intersect street, the street side of such poles shall be placed in line with the street property line.

All poles that may be placed upon alleys elsewhere than at the alley corners of alley and street intersections, shall be placed in line with a lot line or building partition wall, right angled or nearly so to the curb line, but no two poles shall be placed on opposite sides of the alley, in line with the same lot line or building partition wall.

No poles shall be placed at alley corners inside of street and alley intersections.

Sec. 4. Amended by Ordinance No. 294.

All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

This Ordinance shall take effect and be in force from and after its passage and publication according to law.

Passed by the Common Council of Phoenix this the 3rd day of August, 1896.

Approved this the 3rd day of August, 1896.

J. D. MONIHON,
Mayor.

Attest:

T. A. JOBS, City Recorder.

ORDINANCE NO. 438.

An Ordinance relating to the placing of poles, posts, trees, hitching rings, awnings or porch posts on the sidewalks of the City of Phoenix.

The Common council of the City of Phoenix do ordain, as follows:

Section 1. On all streets and on all alleys, all poles, posts, trees, hitching rings, awnings or porch posts, service hydrants and all other constructions extending above the grade of the sidewalk shall be placed so the same shall be six inches from the inside of the outer edge of the curb, save and excepting in the case of fire hydrants, which latter may be set otherwise if so directed by the Superintendent of the Water Department.

Sec. 2. All telephone poles on all streets and alleys

of the City of Phoenix shall be placed on the south side of all streets and alleys running east and west, and on the east side of all streets and alleys running north and south; and all electric light poles shall be placed on the north side of all streets and alleys running east and west and on the west side of all streets and alleys running north and south, and on Grand avenue all telephone poles shall be placed on the south side and all electric light poles on the north side; except where said poles are already standing, in which event the City Engineer may, if he deems it advisable, issue a written permit for the construction upon the opposite side of such street or alley and file a copy of such permit with the City Recorder.

Sec. 4. On streets and alleys underground conduits for telephones must be on the same sides as directed in Section 2 and at a depth of two (2) feet to three and one-half (3½) feet below the established grade and on alleys at two and one-half (2½) feet from the outer edge of the curb and on streets at four and one-half (4½) feet from the outer edge of the curb, except in such streets or alleys as this position is now occupied by an existing utility, in which event the similar position on the opposite side of the street or alley must be used.

Sec. 4. On all alleys less than twenty (20) feet in width the placing of poles shall conform to the provisions contained in Section 2 of this Ordinance except that said poles shall be placed touching upon the property line and on all such alleys underground conduits shall be placed two and one-half feet from the respective property lines.

Sec. 5. Any person, firm, company or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof be fined in a sum not less than five dollars nor more than twenty-five dollars or by imprisonment in the City Jail for not less than five, nor more than twenty-five days, or by both such fine and imprisonment.

Sec. 6. All Ordinances and parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Sec. 7. This Ordinance shall take effect and be in force from and after its passage and publication, as required by law.

Passed by the Common Council this 19th day of June, 1909.

LLOYD B. CHRISTY,
Mayor.

Attest:
FRANK THOMAS, City Recorder.

ORDINANCE NO. 414.

An Ordinance regulating the construction of cement sidewalks, gutters, curbs, cross bridge and cross walks in the City of Phoenix.

The Common Council of Phoenix do ordain as follows:

Section 1. All concrete sidewalks, gutters, curbs, cross bridges and cross walks shall be built in conformity with the official lines and grades of the City of Phoenix, except as hereinafter specified, and shall comply strictly with plans prepared by the City Engineer, a copy of which shall be filed with the City Recorder. The City Engineer may make alterations in said plans if he deem it necessary. The cement shall be Portland, of quality to be approved by the City Engineer. The sand and gravel or crushed rock shall be free from loam or dirt. In all mixtures the materials shall be measured by bulk, the cement as packed and not loose. One bag of cement be considered to equal one cubic foot and four bags as one barrel. All work shall be laid on ground that is thoroughly compact and thoroughly wet. After completion of the work it shall be allowed to dry for approximately twenty-four hours uncovered, depending upon the weather, then covered with earth at least two inches deep and kept constantly wet for six days. The concrete shall be laid in three layers. When using river sand and rivel gravel, the foundation layer shall consist of one part cement, three parts sand and six parts gravel. This shall be thoroughly laid and tamped until water flushes to the surface. The middle layer shall consist of one part cement, three parts sand and four parts gravel that will pass through a screen with a mesh of one square inch. The surfacing layer shall be composed of one part cement and one and one-quarter parts of coarse sand that will pass through a screen of one-quarter inch mesh and the sand to be re-screened with a screen of one-eighth inch mesh and that part passing through to be rejected. The sand so rejected, if free from dirt, may be used in the foundation layer. The surfacing layer must be thoroughly troweled. The foundation and middle layer may be laid as a single layer, but if so laid must consist of one part cement, three parts sand and four parts gravel that will pass through a screen of one and one-half inch mesh. Crushed rock may be used in place of river gravel, but when so used the proportions shall be one part cement, three parts sand and five parts crushed rock, which may be used without screening in three-layer work, but if used in two-layer work then no crushed rock shall be used which will not pass through a screen of one and one-half inch mesh.

SIDEWALKS.

Section 2. All sidewalks shall be laid with a slope toward the center of the street fifteen-thousandths of a foot per foot of width. The total thickness shall be four inches. The foundation layer shall be two and one-half inches thick, the middle layer one inch thick and the surfacing layer one-half inch thick.

GUTTERS.

Sec. 3. All street gutters shall be thirty-three inches wide. The outer edge shall be formed of a railroad or street car rail, which may have had use as such, but which shall weigh not less than thirty-five pounds per yard. The

total thickness of concrete shall be six inches. The foundation layer shall be three and one-quarter inches, the middle layer one and three-quarters inches, and the surfacing layer one inch thick. All alley gutters shall be twelve inches wide and the bottom shall be made on a twelve-inch radius. In materials and thickness of construction they shall conform to street gutters.

CURBS.

Sec. 4. All curbs shall be six inches wide on top, and extend to the bottom of the gutter foundation, as shown on plans heretofore mentioned. The body shall be composed of concrete, similar to the foundation layer hereinbefore described, and of variable thickness as shown on plans. The middle layer for top and front shall be one inch thick, and the surfacing layer shall be one-half inch thick, except at the corner, where it shall be two inches thick. At street intersections the curbs shall be constructed on a four-foot radius, and at alley intersections on a three-foot radius; at the intersection of a street with an alley there shall be no curve unless ordered by the City Engineer, in which event it shall be on a three-foot radius.

CROSS BRIDGES.

Sec. 5. In building cross bridges, the arch shall consist of concrete similar to that herein described as middle layer, and shall have a surfacing layer of one-half inch. The arch must be reinforced under direction of the City Engineer if so required.

CROSS WALKS.

Sec. 6. Cross walks shall be defined as the walk crossing a street between the cross bridges over the gutters and also as that portion of the sidewalk crossing alleys between property lines. Cross walks need not conform to the city grade, but contractors and builders of such walks must obtain a permit from the City Engineer in writing before constructing any cross walk which does not conform to the city grade, in which event the cross walk must conform to the actual surface of the street. The foundation layer shall be four inches thick, the middle layer one inch and the surfacing layer one inch thick. Gravel or crushed rock may be used in the foundation course, which will pass through a two-inch screen. The surface must be made rough as directed by the City Engineer.

Sec. 7. Any person violating the provisions of this Ordinance, whether a contractor making any improvement referred to herein, or the owner of premises for whom such improvement is being made, or both such contractor and such owner, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined a sum not less than $50.00 nor more than $200.00, or be imprisoned in the City Jail for not less than 50 days nor more than 200 days, or be punished by both such fine and imprisonment, and every day during which any viola-

tion of this Ordinance continues shall be considered as constituting a new offense, and shall be punished as in this section provided.

Sec. 8. All Ordinances and parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Sec. 9. This Ordinance shall take effect and be in force from and after its passage and publication as by law provided.

Passed by the Common Council of Phoenix this 26th day of October, 1908.

LEWIS W. COGGINS,
Attest: Mayor.
FRANK THOMAS, City Recorder.

ORDINANCE NO. 251.

An Ordinance of the Commission of the City of Phoenix relating to the survey and inspection of cement concrete sidewalks and irrigation pipe lines.

Section 1. Before a survey or inspection is furnished for any proposed sidewalk or pipe line, the applicant for the survey or inspection shall apply to the City Engineer for permission to construct the same, and shall pay to the City Engineer a fee of one-half (½) cent per square foot for each square foot of sidewalk proposed to be constructed.

Amended. Ordinance 414.

Sec. 2. The City Engineer shall require each applicant for a survey of a proposed sidewalk or pipe line to deposit with him, in advance of the survey, the sum of ten ($10.00) dollars as a guarantee. The City Engineer shall give a receipt for same, and upon the completion of the sidewalk or pipe line shall refund this money to the applicant upon the production of said receipt, except in such cases where the applicant has given an order for a sidewalk of one hundred (100) feet or more in length and constructs less than the aforesaid length. Then the City Engineer shall deduct five ($5.00) dollars from the guarantee sum.

Sec. 3. The City Engineer shall furnish an inspector for each and every piece of sidewalk or pipe line to be constructed, and shall be notified at least twenty-four (24) hours in advance of the time when the work is proposed to be started.

Sec. 4. In the event that the work is not carried on so that a definite and continuous rate of progress of sixty (60) square feet of sidewalk is constructed per hour, or twelve (12) lineal feet of pipe is laid per hour, or in the event that the work is not completed within sixty (60) days from the date of the survey, the guarantee sum shall be forfeited to the City of Phoenix.

Sec. 5. Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeaner, and on conviction thereof shall be fined in a

sum not less than five ($5.00) dollars nor more than twenty-five ($25) dollars, and, in case said fine should not be paid, to be imprisoned in the City Jail for one day for each dollar of said fine unpaid.

Sec. 6. All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

This Ordinance shall take effect and be in force from and after its passage, approval and publication as by law required.

Passed by the Commission of the City of Phoenix this 9th day of April, 1919.

PETER CORPSTEIN,
Mayor.

Attest:
FRANK THOMAS, City Clerk.

ORDINANCE NO. 353.

An Ordinance of the Commission of the City of Phoenix relating to the construction of driveways.

Section 1. Before a permit is granted for the breaking of the curb and the construction of driveways on streets that have cement concrete curbs constructed thereon, the applicant for the driveway must produce evidence satisfactory to the City Engineer to show that the construction of such driveway is agreeable to and in accordance with the desire of the owner or owners of the property to which said driveway will be an entrance. The applicant shall apply to the City Engineer for permission to remove the curbing and shall pay to the City Engineer a fee of one-half (½) cent per square foot for each square foot of driveway proposed to be constructed and one-half (½) cent per lineal foot for each lineal foot of curb proposed to be constructed.

The City Engineer shall require each applicant for a proposed driveway to deposit with him the sum of ten (10) dollars as a guarantee that the driveway, with proper curb and gutter returns, will be constructed within thirty days after the curbing has been broken out. The City Engineer shall give a receipt for the guaranteed deposit and upon the completion of said driveway within the specified time shall refund the ten ($10) dollar deposit to the applicant upon the presentation of the receipt covering said guaranteed deposit.

Sec. 2. After the applicant has complied with the requirements of Section 1, the City Engineer shall issue a permit granting the applicant the right to construct a driveway and showing thereon the location, by lot and block number, for which the application has been made.

Sec. 3. The City Engineer shall furnish an Inspector for each and every piece of curb, gutter and driveway to be constructed, whose duties will be to check the forms for alignment and grade and see that the work is done in accordance with the specifications hereinafter referred to.

The City Engineer shall be notified at least twenty-four (24) hours in advance of the time when the work is proposed to be started.

Sec. 4. In the event that the work is not carried on so that the rate of progress in laying the cement work complete for one driveway, with curb and gutter in four (4) hours, is maintained, or in the event that the permit has been granted and the curb broken out and the work is not completed within thirty (30) days from the date of said permit, then and in either event the guarantee sum shall be forfeited to the City of Phoenix.

Sec. 5. All curb and gutter work shall be constructed in accordance with Specifications No. 21, on file in the City Engineer's office.

All driveway paving shall be constructed in accordance with the standard paving Specifications No. 30A, now on file in the office of the City Engineer, or with specifications which may be hereafter adopted by the City Commission and placed on file in the City Engineer's office.

Sec. 6. Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in a sum not less than five ($5.00) dollars nor more than twenty-five ($25.00) dollars, and in case said fine should not be paid, to be imprisoned in the City Jail for one day for each dollar of said fine unpaid.

Sec. 7. All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

This Ordinance shall take effect and be in force from and after its passage, approval and publication as by law required.

Passed by the Commission of the City of Phoenix this 17th day of March, A. D. 1920.

PETER CORPSTEIN,
Mayor.

Attest:
FRANK THOMAS, City Clerk.

ORDINANCE NO. 401.

An Ordinance providing for excavating for certain structures in the streets and alleys of the City of Phoenix.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. No person shall dig or cause to be dug in, near or adjoining any public street or alley in the City of Phoenix any vault, area, coal hole, basement, stairway, elevator shaft, cellar or other opening without first obtaining a permit from the Commission of the City of Phoenix so to do.

Sec. 2. At the time of the application by any person for any excavation for the purposes in Section 1 of this Ordinance provided, such applicant shall file with the City Clerk for the information of the Commission, the

plans and specifications under which and for which such excavation is to be made.

Sec. 3. Any person violating any of the provisions of this Ordinance shall be guilty of a misdemeanor.

Sec. 4. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Sec. 5. WHEREAS, it is necessary for the preservation of the public peace, health and safety of the City of Phoenix that this Ordinance shall become immediately effective, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage by the Commission, approval by the Mayor, posting and publication as by law required.

Passed by the Commission of the City of Phoenix this 21st day of July, 1920.

Approved this 21st day of July, 1920.

WILLIS H. PLUNKETT,
Mayor.

Attest:

HELEN C. FAHEY, Deputy City Clerk.

ORDINANCE NO. 414.

An Ordinance amending Paragraph 2 of Section 1 of Ordinance No. 251, entitled "An Ordinance of the Commission of the City of Phoenix relating to the survey and inspection of cement concrete sidewalks and irrigation pipe lines."

Be it ordained by the City Commission of the City of Phoenix, as follows:

That Paragraph 2 of Section 1 of Ordinance No. 251, entitled "An Ordinance of the Commission of the City of Phoenix relating to the survey and inspection of cement concrete sidewalks and irrigation pipe lines," be amended so as to read as follows:

A charge of five ($5.00) dollars shall be made by the City Engineer to cover the cost of each sidewalk survey.

Passed by the City Commission of the City of Phoenix this 13th day of October, 1920.

Approved.

WILLIS H. PLUNKETT,
Mayor.

Attest:

FRANK THOMAS, City Clerk.

CHAPTER XI.

FRANCHISES.

ORDINANCE NO. 53.

The Common Council of Phoenix do ordain as follows:

Section 1. That a franchise be and the same is hereby granted to Hutchlon Ohnick, and to his successors or assigns; to supply the said City of Phoenix and its

citizens and residents with illuminating gas or electric light, or both, as he may determine, with consent of City Council.

Sec. 2. That the said Hutchlon Ohnick shall have the right to erect at such suitable place as he may select, subject, nevertheless, to the approval of the Common Council of said City of Phoenix, gas works for the manufacture of illuminating gas, or machinery for electric lights, or both, as he may determine, and operate the same.

Sec. 3. That he shall have the right to lay down mains and distributing pipes and supply pipes in all or any of the streets, alleys or public grounds of the said city as he may deem necessary or expedient, under the supervision of the proper authorities of the City of Phoenix.

Sec. 4. That the gas furnished by said Hutchlon Ohnick under this franchise shall be of not less than twenty-seven candle power, and he shall have the right to charge, receive and collect for all such illuminating gas furnished or supplied by him as aforesaid, at such rates as he may from time to time fix or determine, not exceeding six dollars for one thousand cubic feet of gas of twenty-seven candle power; but in case he furnish gas of a greater illuminating power than the above power mentioned, he may then charge therefor twenty-five cents per candle power for every additional candle power so furnished.

Sec. 5. That the said Hutchlon Ohnick, his successors or assigns, shall have the right to substitute the electric light for gas either before or after the erection of the gas works, or at any time thereafter, or to erect and maintain both at his or their discretion; and in case said electric light shall be used or substituted for gas, all the rights and privileges enumerated so far as they may be necessary, shall be held to apply and be granted as well to the introduction and maintenance of such lights as of and to the erection and maintenance of gas works, and the supplying of gas therefrom, subject to consent of the City Council.

Sec. 6. That gas furnished by said Hutchlon Ohnick shall not be less than twenty-seven candle power, and that said gas works shall be completed and lighted within six months from the date of the passage of this Ordinance, and a failure to comply with this provision shall operate as a forfeiture of this franchise.

Sec. 7. The City Council of said City of Phoenix may from time to time, as said Council may elect, appoint some competent person or persons to make an examination as to the manner of measurement of gas and as to the correction of meters in which the gas is measured, and report the result of the same to the said Council.

Sec. 8. That said Hutchlon Ohnick, his successors or assigns, shall commence the construction of said gas works within sixty days from and after the approval and passage of this Ordinance.

Sec. 9. That in case of failure or non-compliance upon the part of said Hutchlon Ohnick, his successors or assigns, to fulfill and carry out any and all of the stipulations mentioned in this Ordinance and franchise, then the same shall be null and void and of no effect, and shall work as a forfeiture of all right and privileges granted or intended to be granted hereby.

Sec. 10. That in case the said Hutchlon Ohnick, his successors or assigns, discontinue, refuse or neglect to manufacture gas or electric light at any time for and during the term of thirty days, then this Ordinance and franchise shall be null and void, and the City Council may order the removal of pipes, lamp posts, so laid or put up by Hutchlon Ohnick, or his successors or assigns in any of the public streets, alleys or public grounds of said City of Phoenix, and may declare the same a public nuisance.

Sec. 11. That all property used in connection, or used in or about the said gas works so constructed by said Hutchlon Ohnick, his successors or assigns, under the provisions of this Ordinance or franchise, shall be exempt from city taxation for the term of three years, and that he or they be and are hereby exempt from paying city license for conducting the business of making gas and selling the same under the provisions of this Ordinance or franchise for the term of three years; Provided, that the city shall pay 10 per cent less for gas used for city purposes than the regular rate charged to individuals, and shall pay $4.50 dollars for each street lamp per month.

Sec. 12. That the franchise and privileges herein granted and expressed, are hereby granted to the said Hutchlon Ohnick, his successors or assigns, for the term of fifty years from and after the passage of this Ordinance.

Sec. 13. That the Common Council shall approve the site upon which the said gas works are to be erected before the erection of the same.

Sec. 14. This Ordinance or franchise shall take effect after ten days' publication thereof and its approval.

Passed in the Common Council of the City of Phoenix this 29th day of April, A. D. 1886.

Approved this 29th day of April, A. D. 1886.

E. GANZ,
Mayor.

Attest:

CHAS. L. MOSHER, Recorder.

ORDINANCE NO. 107.

An Ordinance in relation to a Telephone Exchange System in and for the City of Phoenix.

The Common Council of the City of Phoenix do ordain as follows:

Section 1. That Jerry Millay of Phoenix, Arizona, and his assigns are hereby granted the right of way through, in and upon the streets, sidewalks, alleys and

public grounds of the City of Phoenix, Maricopa County, Arizona, for the purposes therein and thereon to erect, maintain and use all the necessary poles or posts of wood or iron or other suitable material and the necessary wires and fixtures to successfully operate and use a system of telephones, of a telephone exchange within said city, provided, that the erection and maintenance of said poles, wires and fixtures shall be subject to the regulations of the Common Council of Phoenix.

Sec. 2. That at any time hereafter, when the public needs shall require it or business justify it, the said Jerry Millay and his assigns shall have the privilege under this Ordinance to extend said telephone system in any direction throughout the city, or in any addition that may hereafter be added to the city or become part of the corporate limits thereof, and the privileges hereby granted to the said Jerry Millay and his assigns within said corporate limits, are hereby extended to and made to cover said additions.

Sec. 3. The rights and privileges hereby granted said Jerry Millay shall vest in him and his assigns immediately, upon the passage of this Ordinance, and shall continue for the period of fifty (50) years from the first day of January, A. D. 1890, provided, however, that said telephone lines shall be erected and in operation on or before the first day of May, A. D. 1891, and if not in operation by said time then the privileges herein granted shall be forfeited to the City of Phoenix.

Sec. 4. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

Sec. 5. This Ordinance shall take effect from and after the date of its passage and publication.

Passed by the Common Council of Phoenix this 25th day of August, 1890.

Approved this 25th day of August, A. D. 1890.

JOHN H. BUBGER,
Acting Mayor.

Attest:

ED. SCHWARTZ, City Recorder.

ORDINANCE NO. 123.

An Ordinance granting to J. O. Dunbar, his successors and assigns, a franchise to construct and operate an electric street railway system and a system of electric lights and power in the City of Phoenix.

The Common Council of the City of Phoenix do ordain as follows:

Section 1. That the right of way be and the same is hereby granted to J. O. Dunbar, his successors and assigns, over and along the public streets of the City of Phoenix for the period of fifty years from and after the approval hereof, for the purpose of constructing, maintaining and operating thereon by a single or double track, electric street railway, together with the right to construct all switches, turn-outs, power houses, and all other appliances, properties, structures and attachments

that may be necessary for the purpose of operating said road and enabling it to be as effective as the best street railroads.

Sec. 2. That said J. O. Dunbar and his successors or assigns, are further granted by this Ordinance, the right of way through and upon the streets, sidewalks, alleys and public grounds, of said City of Phoenix, for the purpose of therein and thereon to erect, maintain and use, all necessary posts and poles of wood, iron or other suitable materials, and the necessary wires and fixtures, successfully to operate and use a system of electric light and electric power, within said City of Phoenix, in connection with or independent of said railway, for the period of fifty years from the passage of this Ordinance.

Sec. 3. That said J. O. Dunbar, his successors and assigns, shall furnish the City of Phoenix, free of charge, fifty (50) incandescent lights and all additional lights needed by said city, shall be supplied at a reduction of twenty-five per cent below the price charged consumers. The lights shall be sixteen candle power, and shall be supplied said City when said plant shall be in operation.

Sec. 4. At any time hereafter when public need requires it, or business will justify it, the said J. O. Dunbar, his successors or assigns, shall have the privilege, under this Ordinance, of extending said light and power system, (and said street railroad, or either of them) in any direction throughout any of the additions to the said City of Phoenix, that shall hereafter become a part of the corporate limits of said City of Phoenix, and the franchise and privileges under this Ordinance shall extend to said additions.

Sec. 5. This franchise for a street railway is granted on the express condition that the said J. O. Dunbar, his successors or assigns, shall have constructed within one year from the time this Ordinance shall go into effect, a single or double track electric street railway line, over the entire length of Washington street; and the said J. O. Dunbar, his successors or assigns, agree to extend said street railway lines over other streets of said City of Phoenix. There shall be constructed one and one-half miles the first year, one and one-half miles the second year, and there shall be constructed and in operation five miles within three years from the passage of this Ordinance, but the conditions herein required shall include the line to be built on Washington street.

Sec. 6. The right to construct said electric light and power system is granted upon the express condition that work shall be commenced within six months after this Ordinance shall go into effect, and be completed and in operation within one year from the granting of this franchise.

Sec. 7. In case the Common Council of Phoenix shall establish other grades, or pave any of the streets of said City of Phoenix, the said J. O. Dunbar, his successors or assigns, agree that they will conform said railroad to said grade, and will, without cost to the said city, grade and pave the space between the rails of said

road, for the distance of two feet on both outer sides of rails, with the same material used by the city in paving said street, and under the supervision of the City Engineer.

Sec. 8. In the construction of said road or roads, only the best material, such as used in first-class roads, shall be used, and in all cases where this franchise is granted over streets now occupied by other lines of street railway, owned by persons or corporations, whether named herein or not, the said J. O. Dunbar, and his successors and assigns, shall have the right to operate over any and all such tracks in accordance with and limited only by the statute laws of the Territory of Arizona, applicable thereto, or the Charter of said City of Phoenix, and in case the gauge of said tracks of said other persons or corporations shall not conform to the gauge of the tracks of said J. O. Dunbar, or his successors or assigns, they shall be permitted to lay a third rail, or two rails, at his own or their option, over the distance traveled by the roads jointly.

Sec. 9. Time table amended by Ordinance 162, Sec. 1, Re-amended by Ordinance 181, Sec. 1.

Sec. 10. The cars on this line shall be subject to such license tax as may be from time to time imposed by the Common Council of Phoenix.

Sec. 11. If for a space of six months any of the railway tracks, constructed hereunder, shall not be used according to section nine, the same shall be removed by and at the expense of the person or corporations owning or controlling said railway upon receiving thirty days' notice from said city, anything herein to the contrary notwithstanding.

Sec. 12. The privilege is hereby granted to said J. O. Dunbar, his successors or assigns, to use animal power in operating any line of road herein mentioned, except on Washington and Center street.

Sec. 13. Said J. O. Dunbar, and his assigns, may use such rails and such gauge as may be advisable for operating electric cars.

Sec. 14. This Ordinance shall take effect and be in force from and after its passage and publication for ten days, in the Arizona Gazette, a daily newspaper published in the City of Phoenix, and continue in force thereafter for the period of fifty years; also the cost of such publication shall be paid by said J. O. Dunbar, and his assigns.

Passed by the Common Council of Phoenix this 6th day of July, A. D. 1892.

Approved this 28th day of July, 1892.

JOSEPH CAMPBELL,
Mayor.

Attest:

ED. SCHWARTZ, City Recorder.

ORDINANCE NO. 162.

The Common Council of the City of Phoenix do ordain as follows:

Section 1. That the section nine (9) of Ordinance No. 123, entitled "An Ordinance granting to J. O. Dunbar, his successors and assigns, a franchise to construct an electric street railway system and a system of electric light and power, in the City of Phoenix", be, and the same is hereby amended to read as follows:

That cars over said railway shall be run one way, from six a. m. until 9 p. m., every half hour, unless prevented by unavoidable accident, and the fare one way over said railway, within the limits of the city, shall not exceed five cents, except between the hours of twelve o'clock midnight and five o'clock a. m., when the fare one way over said railway within the limits of the City of Phoenix may be, but shall not exceed ten cents.

Sec. 2. This Ordinance shall take effect and be in force for a period of 10 years from and after its passage and publication according to law.

Passed by the Common Council of Phoenix this 2nd day of April, A. D. 1894.

Approved this 2nd day of April, A. D. 1894.

P. J. COLE,
Mayor.

Attest:

ED. SCHWARTZ, City Recorder.

ORDINANCE NO. 174.

The Common Council of the City of Phoenix do ordain as follows:

Section 1. That Section five (5) of Ordinance 123, entitled "An Ordinance granting to John O. Dunbar, his successors and assigns, a franchise to construct an electric street railway system, and a system of electric lights and power in the City of Phoenix," be and the same is hereby amended so as to read as follows:

This franchise for a street railway is granted on the express condition that said John O. Dunbar, his successors or assigns, shall have constructed within one year from the time Ordinance No. 123 went into effect a single or double track of electric street railway line, over the entire length of Washington street, and the said John O. Dunbar, his successors and assigns, agree to extend said street railway line over other streets in the said City of Phoenix. They shall construct one and one-half miles the first year, one and one-half miles the third year, and there shall be constructed and in operation five (5) miles within four (4) years from the date of the passage of said Ordinance No. 123, but the conditions herein required shall include the line to be built on Washington street.

Sec. 2. All Ordinances and parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Sec. 3. This Ordinance shall take effect and be in force from and after its passage and publication.

Passed by the Common Council of the City of Phoenix this 30th day of July, 1894.

Approved this 30th day of July, A. D. 1894.

J. D. MONIHON,
Mayor.

Attest:

ED. SCHWARTZ, City Recorder.

ORDINANCE NO. 189.

An Ordinance in relation to a telegraph system in and for the City of Phoenix.

The Common Council of Phoenix do ordain as follows:

That the Santa Fe, Prescott and Phoenix Railway Company, its successors, grantees and assigns, are hereby granted the right of way through, in and upon the streets, alleys, sidewalks and public grounds of the City of Phoenix, Maricopa County, Arizona, both upon the surface and underground therein, for the purpose therein, and thereon to erect, place, maintain and use, all the necessary poles or posts, pipes and conduits of wood or iron, or other suitable material, and for the purpose of laying and placing therein or thereon the necessary wires and fixtures to successfully operate and use a telegraph system or lines within said City of Phoenix. Provided, that the erection and maintenance of said poles, pipes, conduits, wires and fixtures shall be subject to the regulations of the Common Council of the City of Phoenix.

Sec. 2. That at any time hereafter, when the public need shall require it or business justify it, the said Santa Fe, Prescott & Phoenix Railway Company, its successors, grantees and assigns, shall have the privilege under this Ordinance to extend said telegraph system service in any direction throughout the city, or in any addition that may hereafter be added to the city; or in any addition that may hereafter be added to the City of Phoenix, or become a part of the corporate limits thereof; and the privileges hereby granted to the Santa Fe, Prescott & Phoenix Railway Company, its successors, grantees and assigns, within said corporate limits, are hereby extended and made to cover said additions.

Sec. 3. This Ordinance shall take effect and be in force from and after its passage, approval and publication according to law, and shall continue in force for the period of twenty-five (25) years from the first day of April, A. D. 1895.

Provided, however, that said telegraph lines shall be in operation on or before the first day of May, A. D. 1895, and if not in operation by said time the privilege here granted shall be forfeited to the City of Phoenix.

Passed by the Common Council of Phoenix this 20th day of February, A. D. 1895.

Approved this 20th day of February, A. D. 1895.

J. D. MONIHON,
Mayor.

Attest:

ED. SCHWARTZ, City Recorder.

ORDINANCE NO. 220.

Granting to the Western Union Telegraph Company the right to place and maintain its poles and lines in the streets, alleys and public ways of the City of Phoenix, in the Territory of Arizona, on the terms and conditions herein stated.

The Common Council of Phoenix do ordain:

Section 1. That the Western Union Telegraph Company, its successors and assigns, are hereby granted the right to erect and maintain on the streets, alleys and public ways of said city for a period of twenty-five years from the date hereof, all poles and fixtures and wires necessary for the purpose of supplying the citizens of said city and the public, communication by telegraph or other improved electrical device, such use to be and continue upon the terms and conditions hereinafter stated.

Sec. 2. The location of all poles and lines hereafter to be erected, and any change in the location of the poles and lines now in use or extensions thereof shall be under the direction and control of the Council of said city.

Sec. 3. Said poles and wires shall be placed and maintained so as not to interfere with travel on said highways, and said company shall hold said city free and harmless from all damages arising by reason of any abuse of said occupancy. This grant is made and is to be enjoyed, subject to such regulations and Ordinances of a police nature, as said Council of said city is authorized and sees proper at any time to adopt, not destructive to the rights herein granted.

Sec. 4. The right of use herein given shall not be exclusive, and the Council of said city reserves the power to grant a like right of way to any other telegraph company, the same, however, not to interfere with the reasonable and proper exercise of the privileges herein granted.

Sec. 5. In consideration whereof, said Western Union Telegraph Company shall, and by the acceptance of this Ordinance does, agree to allow the Council of said city to attach at any time to the top cross arm of any of said poles, free of rental or charge therefor, the city fire alarm and police wires, and said poles are hereby made a municipal instrumentality for that purpose, provided, however, said attachment shall be so made and maintained under the direction of said company's manager in said City of Phoenix, and that in addition said company shall and will furnish for the said city the use of its poles for the attachment thereto of its fire alarm boxes, without charge to said city.

Sec. 6. That whenever said company, its successors or assigns, ceases to operate a telegraph line in said City of Phoenix and ceases to use the said poles and lines herein provided for in operation of its line of telegraph, then said company shall remove said lines and poles from the streets and alleys of said city within sixty (60) days from date that said company so ceases to use and operate said lines.

Sec. 7. No assignment of this Ordinance shall be made by the grantee herein except by and with the permission of the Common Council, as provided in Ordinance 207.

Sec. 8. This Ordinance to be in force and effect from and after its passage, publication as required by law, and filing with the Recorder of said city an unconditional acceptance of the conditions herein contained. The cost of publishing this Ordinance to be paid by the grantee.

Passed by the Common Council of Phoenix and approved this 9th day of April, 1896.

R. ALLYN LEWIS,
Mayor Pro Tem.

Attest:
T. A. JOBS, City Recorder.

ORDINANCE NO. 228.

An Ordinance granting unto L. D. Copeland the right to construct, operate and maintain an ammonia and compressed air plant in the City of Phoenix, County of Maricopa, Territory of Arizona.

The Common Council of Phoenix do ordain as follows:

Section 1. That L. D. Copeland, his successors or assigns, are hereby granted the right and privilege to construct, operate and maintain an ammonia and compressed air plant in the City of Phoenix; to lay pipes or conduits in any of the streets, avenues, alleys, bridges or public grounds of the City of Phoenix as are now or that may hereafter be, laid out, for the purpose of conducting ammonia and compressed air for motor power and for cooling and ventilating and other purposes, and furnishing same to the inhabitants of said city, and for this purpose may enter upon any street, avenue, alley, bridge or public grounds to take up any pavement or sidewalk thereon and make such excavations as may be necessary for the laying of such pipes or conduits and the necessary connections thereto; provided, that such use of such grounds, streets and alleys be made with the least practicable inconvenience to the public, and that such sidewalks, pavements and excavations be replaced at the expense of the grantee or his assigns in as good condition as before and with the least practicable delay; provided further, that no pipes can be laid or excavations made in or upon any paved street in the city without first having obtained permission of the Common Council of said city.

Sec. 2. Said L. D. Copeland, his successors or assigns, shall at all reasonable hours have access to any of said pipes or connections to repair or remove the same, and shall have the right to enter into a contract or agreement with patrons as to rules and regulations and consideration for the use of and for the furnishing of said ammonia and compressed air for motor and other purposes; provided, however, that no rate for the use of and furnishing of said ammonia and compressed air shall be excessive.

Sec. 3. All pipes laid by the grantee or his assigns under this franchise shall be laid to a sufficient depth under ground as not to interfere with any public improvements, and lowered or raised as demand may require in hereafter making public improvements where said pipes may interfere.

Sec. 4. The rights and privileges herein granted shall continue for the term of twenty-five (25) years after the passage of this Ordinance, and the work in the construction of said plant and the laying of pipes shall be commenced forthwith and continued with reasonable diligence until said plant shall have been fully completed.

Sec. 5. This Ordinance shall take effect and be in force from and after its passage and publication as required by law. Said publication to be made within ten days from the passage hereof at the expense of said grantee in the official paper of the City of Phoenix, and any failure to publish as herein required shall forfeit this franchise. No assignment hereof to be valid except as provided in Ordinance 207.

Sec. 6. Amended by Ordinance No. 329.

Passed by the Common Council of the City of Phoenix this 13th day of August, 1896.

Approved this 13th day of August, 1896.

JAMES D. MONIHON,
Mayor.

Attest:

T. A. JOBS, City Recorder.

ORDINANCE NO. 238.

An Ordinance authorizing the Phoenix Light and Fuel Company, its successors or assigns, to construct, operate and maintain gas works in the City of Phoenix, Maricopa County, Arizona Territory.

The Common Council of Phoenix do ordain as follows:

Section 1. That the Phoenix Light and Fuel Company, its successors or assigns, is hereby authorized, subject to the limitations herein or by law provided, to construct, operate and maintain gas works in the City of Phoenix, Maricopa County, Arizona, to lay pipes for the carrying, distribution of gas in any street, avenues, alleys, lanes, bridges or public grounds of the City of Phoenix which are now or may hereafter be laid out, with all the necessary and proper buildings, conduits, machinery and attachments thereto to supply the City of Phoenix and the inhabitants thereof with gas for lighting and heating and for generation of power, and for these purposes and any other upon any of the streets, alleys, lanes, bridges or public grounds under the control of the City of Phoenix, to take up any pavements or sidewalks therein and make such excavations as may be necessary for the laying of such pipe and the attachments; provided, that such uses of such ground be made with the least practicable inconvenience to the inhabitants of said city; that such excavations be guarded by barricade whenever neces-

sary and a light by night, and said sidewalk, pavements or excavation be replaced by and at the expense of the grantee or its assigns in as good condition as before and with the least practicable delay.

Sec. 2. It is expressly understood that said Phoenix Light and Fuel Company shall commence the construction of a gas plant within said city within six months from the passage of this Ordinance and shall complete the same within one year thereafter, and that not less than three miles of mains shall be laid within one year from the granting of this franchise, and thereafter and within thirty days shall file in the office of the City Recorder a plat of said mains as laid showing location and position thereof and that no charge shall be made for tapping any main in excess of eight dollars for each tap; conditioned that the person or persons so paying said charge for tapping shall be allowed the cost of said tapping in gas at current rates.

Sec. 3. That for and in consideration of the granting of this franchise to the Phoenix Light and Fuel Company by said City of Phoenix for the purpose of running, operating, maintaining and furnishing gas to its customers, the said Phoenix Light and Fuel Company, its successors and assigns, shall furnish and deliver to the City of Phoenix without charge, two thousand feet of gas per month during the continuance of said franchise; provided, however, that in case said city shall not use the said two thousand feet of gas in any month, then and in that event said city shall have the right to use the same in the next succeeding or any other month, but in no event shall the Phoenix Light and Fuel Company be required under this provision to furnish said city more than four thousand feet of gas in any one month, or to exceed twenty-four thousand feet in any one year.

Sec. 4. This franchise is granted to the Phoenix Light and Fuel Company upon the express condition that the Phoenix Light and Fuel Company, its successors and assigns, shall in no event charge the consumers of gas in the City of Phoenix and its additions to exceed the sum of four dollars per 1,000 feet.

Sec. 5. The privileges hereby granted to the Phoenix Light and Fuel Company shall inure to the benefit of said Phoenix Light and Fuel Company, its successors and assigns, for the period of fifty years from and after the passage of this Ordinance, conditioned that no assignment or transfer of this franchise shall be made except as provided in Ordinance 207.

Sec. 6. This Ordinance shall take effect and be in force from and after its passage and publication, and the Phoenix Light and Fuel Company shall pay the expense of publishing the same. Acceptance hereof to be filed in writing within thirty days.

Passed by the Common Council, this 2nd day of March, 1897.

Approved this 2nd day of March, 1897.

J. D. MONIHON,
Mayor.

Attest:

T. A. JOBS, City Recorder.

ORDINANCE NO. 281.

An Ordinance granting to Albert S. Arthur, his associates, successors and assigns, the right and franchise to erect suitable boards for advertising and bill posting.

The Common Council of Phoenix do ordain as follows:

Section 1. That authority and privilege for the term of twenty-five years is hereby given and granted to Albert S. Arthur, his associates, successors and assigns, the right to erect inside of the sidewalks of the streets of the City of Phoenix at such points only as may be sanctioned by the Common Council of the City of Phoenix, suitable boards for advertising and bill posting.

Sec. 2. That Albert S. Arthur and his associates, successors and assigns, shall have the privilege and right to erect in said city a system of bill and advertising boards in the alleys and vacant lots of said city during the period heretofore mentioned. Provided, said bill and sign boards do not obstruct the free use by the public of the alleys of said city, and provided, permission is obtained of the owners of any vacant lots to erect said bill and sign boards before the same are erected; provided further, that such bill and sign boards shall be subject to removal by the City Council at any time.

This Ordinance shall take effect and be in force from and after its passage, approval and publication.

Passed by the Common Council this 6th day of February, 1899.

Approved this 6th day of February, 1899.

C. J. DYER,
Mayor.

Attest:

T. J. PRESCOTT, Acting City Recorder.

ORDINANCE NO. 326.

An Ordinance consenting that the Phoenix Light and Fuel Company, the assigns of the rights of Hutchlon Ohnick under Ordinance Number 53 of the City of Phoenix, may use and operate an electric light system in the City of Phoenix under the provisions and during the life of said Ordinance Number 53; and granting to the Phoenix Light and Fuel Company and its assigns the right, privilege and franchise to use, operate and maintain an electric power plant in the City of Phoenix.

The Common Council of Phoenix do ordain as follows:

Section 1. Consent is hereby given by the Common Council of the City of Phoenix, under the provisions of Ordinance Number 53, to the Phoenix Light and Fuel Company and all succeeding assigns of the rights of Hutchlon Ohnich under and by virtue of Ordinance Number 53 of the City of Phoenix, to use, operate and maintain an electric light plant in said City of Phoenix for

the purpose of furnishing light to the City of Phoenix and its residents under the provisions, and during the life of the franchise granted by the Common Council of the City of Phoenix to said Hutchlon Ohnich and his assigns by said Ordinance Number 53.

It being the purpose of this section that the Common Council of the City of Phoenix give their full and free consent that said assigns may operate and maintain an electric light plant and may erect, place, operate and maintain the necessary buildings, poles, wires, etc., etc., throughout the City of Phoenix, for the operation of such plant, subject to the privilege and limitations of said Ordinance Number 53.

Sec. 2. There is hereby granted to the Phoenix Light and Fuel Company and its assigns the full privilege and right to erect, operate and maintain an electric power plant in the City of Phoenix for the purpose of furnishing commercial electric power to the City of Phoenix and its residents. The electric power to be either generated in the City of Phoenix or outside of said city. Said power plant to be operated in connection with the rights, privileges and franchises granted under Ordinance Number 53 of the City of Phoenix and Section Number 1 of this Ordinance. Giving full power and privilege to erect, place and maintain the necessary poles, wires, buildings, etc., etc.; necessary to the full use, operation and maintenance of a fully equipped electric power plant. The rights, privileges and franchises granted under this Ordinance to terminate with the rights, privileges and franchises granted under Ordinance Number 53 of the City of Phoenix.

Sec. 3. This Ordinance or franchise shall take effect and be in force from and after its passage and legal publication, the cost of such publication to be paid by the Phoenix Light & Fuel Company.

Passed by the Common Council of the City of Phoenix this 26th day of September, 1901.

Approved this 26th day of September, 1901.

WALTER TALBOT,
Mayor.

Attest:

T. A. JOBS, City Recorder.

ORDINANCE NO. 329.

An Ordinance to amend Section 6 of Ordinance 228, entitled "An Ordinance granting unto L. D. Copeland the right to construct, operate and maintain an ammonia and compressed air plant in the City of Phoenix, County of Maricopa, Territory of Arizona."

The Common Council of Phoenix do ordain as follows:

Section 1. That Section 6 of Ordinance No. 228, entitled "An Ordinance granting unto L. D. Copeland the right to construct, operate and maintain an ammonia and compressed air plant in the City of Phoenix, County of Maricopa, Territory of Arizona," be and the same is hereby amended to read as follows:

That from and after the expiration of fifteen (15) years the said grantee herein or his assigns shall pay into the City Treasury 1½ per cent per annum of the gross annual receipts earned by said plant, said percentage of gross receipts to be paid monthly, and any failure to pay said per cent shall work a forfeiture of this franchise.

Sec. 2. This Ordinance shall take effect from and after its passage and publication as by law required.

Sec. 3. The cost of publication of this Ordinance shall be borne and paid by the said L. D. Copeland or his assigns.

Passed by the Common Council of the City of Phoenix this 6th day of January, 1902.

Approved this 6th day of January, 1902.

WALTER TALBOT,
Mayor.

Attest:

T. A. JOBS, City Recorder.

ORDINANCE NO. 338.

Be it ordained by the Common Council of the City of Phoenix, as follows:

Section 1. That the Phoenix & Eastern Railroad Company, a corporation existing under the laws of the Territory of Arizona, and its successors, grantees and assigns, be and the same are hereby given the right, privilege and franchise to construct, maintain and operate in and along Jackson street, in the City of Phoenix, from Central avenue to the east limits of the City of Phoenix, a line of telegraph, including all necessary poles, cross-arms, wires, connections and appurtenances.

Sec. 2. That the right, privilege and franchise granted by Section 1 of this Ordinance shall continue for a term of fifty years from the day of its passage.

Sec. 3. That the Phoenix & Eastern Railroad Company, its successors, grantees and assigns, shall construct and at all times maintain said line of telegraph in a first-class manner and so as not unnecessarily to impede or interfere with the use of said Jackson street by the public.

Sec. 4. That the grantee of this franchise shall pay for the cost of publication of the same.

Passed by the Common Council of the City of Phoenix this 2nd day of February, 1903.

Approved this 2nd day of February, 1903.

WALTER TALBOT,
Mayor.

Attest:

T. A. JOBS, City Recorder.

ORDINANCE NO. 370.

Granting to the Maricopa & Phoenix & Salt River Valley Railroad Company, its successors and assigns, the right, privilege and authority to lay, construct and maintain railroad track and operate a railroad on and across certain streets in the City of Phoenix.

The Common Council of the City of Phoenix do ordain as follows:

Section 1. That the Maricopa & Phoenix & Salt River Valley Railroad Company, a corporation, its successors and assigns, be and are hereby granted authority to lay, construct and maintain and operate railroad tracks over the streets in the City of Phoenix as are named in the following description of the center line of said proposed tracks.

First: Beginning at a point in the center line of the main line track of the Maricopa & Phoenix & Salt River Valley Railroad (14 6-10 ft.) fourteen and six-tenths feet east of the east line of Seventh (7th) street and two hundred and thirty-nine and seventy-five one hundredths feet (239 75-100 ft) south of the south line of that portion of Jackson street east of Seventh street; thence from said point of beginning westerly by a curve to the left, of seven hundred and sixty-four and five-tenths feet (764 5-10 ft) radius, a distance of fourteen and six-tenths (14 6-10) feet to a point on the east side of said Seventh (7th) street, two hundred and thirty-nine and nine-tenths (239 9-10) feet south from the southeast corner of said Seventh (7th) street and Jackson street; thence on a continuation of said curve, crossing said Seventh (7th) street, a distance of sixty-three (63) feet, to a point on the west line of said street two hundred and sixty-seven and seven-tenths (267 7-10) feet south from the southwest corner of said Seventh (7th) and Jackson streets; thence on a continuation of said curve and over private right-of-way a distance of seven and three-tenths (7 3-10) feet to a point; thence southwesterly by a line tangent to said curve and over private right of way, a distance of ten (10) feet to a point; thence southwesterly, by a curve to the left of three hundred and fifty-nine and three-tenths (359 3-10) feet radius, intersecting the east line of Sixth (6th) street to a point approximately two hundred and thirty-six (236) feet north from the northeast corner of said Sixth (6th) street and Buchanan street; thence on a continuation of the last mentioned curve, crossing said Sixth (6th) street and intersecting the west line of same at a point approximately one hundred and ten (110) feet north from the northwest corner of said Sixth (6th) and Buchanan streets; thence on a continuation of the last mentioned curve and over private right-of-way ninety (90) feet to a point; thence southerly by a line tangent to the last mentioned curve and over private right-of-way, ten (10) feet to a point; thence southerly by a curve to the left of seven hundred and sixty-four and five-tenths (764 5-10) feet radius, and over private right-of-way twelve (12) feet to an intersection of the north line of said Buchanan street at a point twenty-one and five-tenths (21 5-10) feet west from the northwest corner of said Sixth (6th) and Buchanan streets; thence south on a line parallel to and twenty-five feet distant west from the west line of said Sixth street and over private right-of-way, a distance

of two hundred and ninety-seven and eight-tenths (297 8-10) feet to the terminus of the proposed track.

Second: Beginning at a point in the center line of the main track of the Maricopa & Phoenix & Salt River Valley Railroad, a distance of fifty-seven and five-tenths feet (57 5-10) west from the west line of Fifth (5th) street; thence from said point of beginning southeasterly by a curve to the right of seven hundred and sixty-four and five-tenths feet (764 5-10) radius, a distance of fifty-seven and five-tenths (57 5-10) feet to an intersection of west line of said Fifth (5th) street at a point one hundred and fifty-two and one-tenth feet (152 1-10) south from the southwest corner of Fifth and Jackson streets; thence southeasterly by a continuation of said curve, a distance of twenty-seven and four-tenths feet (27 4-10) to a point in said Fifth street; thence southeasterly by a line tangent to said curve, a distance of ten feet (10) to a point in said Fifth (5th) street; thence southeasterly by a curve to the right of three hundred and fifty-nine and three-tenths (359 3-10) feet radius, a distance of forty-three (43) feet to an intersection of the east line of said Fifth street at a point one hundred and sixty-three and one-tenth (163 1-10) feet distant south from the southeast corner of said Fifth and Jackson streets; thence southeasterly by a continuation of said last mentioned curve and over private right-of-way four hundred and seventy-nine and eight-tenths feet (479 8-10) to a point; thence by a line tangent to the last mentioned curve, a line parallel to and twenty-five feet distant west from the west line of said Sixth street, a distance of ninety-six and eight-tenths (96 8-10) feet to an intersection with the north line of Buchanan street at a point twenty-six (26) feet west from the northwest corner of said Buchanan street and Sixth street; thence south, a continuation of the last mentioned tangent and crossing said Buchanan street, a distance of sixty (60) feet to an intersection of the south line of said Buchanan street at a point twenty-five (25) feet distant west from the southwest corner of said Buchanan and Sixth streets, and to a conjunction with the line first above described.

Sec. 2. All of the street crossings named in the above description shall be kept and maintained by said Railroad Company so as to conform to the official grade of said streets as established by the said City of Phoenix, and all said crossings shall be kept in such repair by said Railroad Company so that there never will be any interference with or obstruction to the public traffic over said railroad tracks.

Sec. 3. No locomotive or car shall be allowed to stand on said crossings longer than a period of ten minutes except in case of unavoidable accident.

Sec. 4. All the switches used in connection with the construction and operation of said tracks shall be so located that all movable parts and frogs shall not fall between the curb lines of said street crossings.

Sec. 5. This Ordinance shall take effect and be in force from and after its passage, approval and publica-

tion according to law, the cost of publication to be paid by grantee herein.

Sec. 6. The city reserves the right to grant any other Railroad Company a right-of-way through any of the streets crossed by this Y and over any tracks of the said Y whether they be on the streets of the city or on private property.

Passed by the Common Council of the City of Phoenix this 22nd day of July, 1905.

Approved this 22nd day of July, 1905.

F. B. MOSS,
Acting Mayor.

Attest:
FRANK THOMAS, City Recorder.

ORDINANCE NO. 429.

An Ordinance granting E. S. Wakelin, Dwight B. Heard and John W. Foss a franchise to install and operate a telephone system and exchange in the City of Phoenix.

The Common Council of the City of Phoenix, Arizona, do ordain as follows:

Section 1. That E. S. Wakelin, Dwight B. Heard and John W. Foss, and their assigns, are hereby granted the right of way through, under, in and upon the streets, sidewalks, alleys, ways and public grounds of the City of Phoenix, Arizona, for the purpose therein and thereon to erect, maintain and use all the necessary poles, posts of iron or wood, underground conduits, or other suitable materials, and the necessary wires and fixtures to successfully install, operate, maintain and use a system of telephone and a telephone exchange within the said City of Phoenix; provided, that the erection and maintenance of said poles, wires and fixtures shall be subject to the regulation of the Common Council of the said City of Phoenix, and that the said City of Phoenix shall at all times have the privilege of using said poles or underground conduits for the purpose of the Phoenix Fire Department and the Phoenix Police Department, and that wires for said purposes shall be carried on said poles and in said underground conduits by the said E. S. Wakelin, Dwight B. Heard and John W. Foss, and their assigns, without charge to the City of Phoenix, and in such position upon said poles and in said conduits as the Common Council of the City of Phoenix may from time to time require or direct.

Sec. 2. That at any time hereafter, when the public needs may require or business justify it, the said E. S. Wakelin, Dwight B. Heard and John W. Foss, and their assigns, shall have the privilege under this Ordinance of extending said telephone system in any direction throughout the city, or in any addition that may hereafter be made to or become a part of the corporate limits of said City of Phoenix, and the privilege hereby granted to the said E. S. Wakelin, Dwight B. Heard and John W. Foss

and their assigns, within said corporate limits, are hereby extended to and made to include said additions.

Sec. 3. The rights and privileges hereby granted to the said E. S. Wakelin, Dwight B. Heard and John W. Foss, and their assigns, shall vest in them, and their assigns, immediately upon the passage of this Ordinance and shall continue for a period of twenty-five years from the date of its final passage; provided, however, that the said E. S. Wakelin, Dwight B. Heard and John W. Foss, and their assigns, shall have commenced in a business-like manner the work upon and construction of said telephone system on or before ninety days from the final passage of this Ordinance, and shall have completed and in operation said telephone system and exchange with the said City of Phoenix on or before nine months from the final passage of this Ordinance; provided, further, that said E. S. Wakelin, Dwight B. Heard and John W. Foss, and their assigns, are not hindered from so doing by means or agencies not in their power or control; and provided further, that said Common Council may extend the said time of either commencement or completion of said system whenever in its discretion it may deem advisable.

Sec. 4. That the said E. S. Wakelin, Dwight B. Heard and John W. Foss, and their assigns, shall furnish the citizens of Phoenix, inside of the corporate limits of said city, residence telephones at a rental not to exceed two dollars per month, and business house telephones at a rental not to exceed two dollars and fifty cents per month for main line telephones, and not to exceed one dollar and a half per month for party line telephones. The said E. S. Wakelin, Dwight B. Heard and John W. Foss, and their assigns shall furnish the said City of Phoenix for its free use, without any charge and at such places and for the use of such officers, during the term of this franchise, telephones in such number, as may be requested by resolution of the Common Council; and that the lawful holder of said franchise shall maintain, free of cost to the said City of Phoenix, such wires through their conduits and on their poles as will suffice for any fire alarm or police patrol system that the city shall install during the life of this franchise.

Sec. 5. That the said E. S. Wakelin, Dwight B. Heard and John W. Foss, and their assigns, as one of the conditions of the granting of this franchise, shall pay into the treasury of said City of Phoenix, for the use and benefit of said city, annually, on the 1st day of January of each year, one per cent of the gross earnings of said telephone system and exchange for the rental of telephones used in said city for the previous year; provided, that said payments shall be accompanied by a statement made by the said E. S. Wakelin, Dwight B. Heard and John W. Foss, or their assigns, showing the total amount of said gross earnings of said telephone system and exchange for such year; provided, further, that the said parties to whom this franchise is granted or their assigns shall, at any time the Common Council of the City of Phoenix shall order, permit any person designated by

the said Common Council to examine their books, to ascertain the amount of said gross earnings of said telephone system and exchange.

Sec. 6. That at the expiration of five years after the completion of said telephone system and exchange, and at the expiration of each succeeding five years thereafter, the said city shall have the right to purchase said system and exchange, provided it notify the said persons to whom this franchise is granted, or their assigns, of its intention so to do at least one year before the expiration of said period or period of years. In order to establish the value of said telephone system and exchange the persons to whom this franchise is granted, or their assigns, and the said City of Phoenix shall appoint one person, and the two appointees shall choose a third, and the three persons thus chosen, who shall be practical telephone engineers, shall constitute a board to determine the value of said telephone system and exchange.

The Board in fixing the value of said system and exchange shall take into consideration the cost of the erection and installation of said system and exchange, the cost of erecting or installing a new system and exchange of like character, the earning capacity of said system and exchange, and all other facts and considerations legitimately connected with the said system and exchange. And for that purpose it shall have access to the books of the persons to whom this franchise is granted, or their assigns, to ascertain the facts above mentioned.

The city shall, within sixty days after the said board has rendered its decision, pay the amount awarded, in cash, and upon such payment, said E. S. Wakelin, Dwight B. Heard and John W. Foss, or their assigns, shall transfer to said City of Phoenix all their said rights and privileges and property included in said appraisement.

Sec. 7. This Ordinance shall take effect and be in force from and after its passage and publication according to law.

Passed by the Common Council of the City of Phoenix this 3rd day of May, 1909.

LEWIS W. COGGINS,
Mayor.

Attest:
FRANK THOMAS, City Recorder.

NO. 360.

AN ORDINANCE.

To require persons, co-partnerships, associations and corporations operating under franchises or privileges from the City of Phoenix to make reports of the extent and manner of their operation thereunder and to permit inspection of their books and property by the agents of the city for information, taxation and other purposes.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. All persons, co-partnerships, associations and corporations owning or operating any business within the City of Phoenix under any franchise or privilege granted by the City of Phoenix shall be and hereby are required to make annual reports in writing at least ten days before the close of the fiscal year of the city to the City Manager showing in detail the extent and manner of their operation under such franchise and their use of such franchise, together with their gross and their net earnings, and the kind and value of the property used and employed by them thereunder in such business and further, such persons, co-partnerships, associations and corporations shall in addition to the annual report herein required, make such additional and other reports from time to time as the City Manager may deem advisable and expedient and of them demand, and shall permit the City Manager and his appointees and agents to inspect from time to time as the City Manager may deem necessary or advisable all the properties owned by him, it or them and used and employed by him, it or them in about the use of such franchise and privilege together with an inspection and examination of all books, records, papers and accounts kept by him, it or them in connection with such business.

Sec. 2. The City Manager of the City of Phoenix is hereby authorized and empowered to demand and receive from any and all persons, co-partnerships, associations and corporations owning or operating any franchise or privilege under grant from the City of Phoenix, reports from time to time, giving in detail such information as to the manner and extent of the use and operation of any such franchise or privilege, as he may require for any municipal purpose, and the City Manager is further authorized and empowered to require, demand and have, by himself and appointees and agents, access to and inspection of all the properties, books, records, papers and accounts of such persons, co-partnerships, associations and corporations, at such time as he shall deem necessary, proper or advisable for any municipal purpose.

Sec. 3. Upon any such person, co-partnership, association or corporation failing, neglecting or refusing to make any report as herein required or as demanded by the City Manager hereunder, or failing to afford and permit access to and inspection of any of its properties, books, records, papers or accounts to the City Manager and his appointees and agents as herein provided, such franchise or permit under which such person, co-partnership, association, corporation so refusing or neglecting is then operating shall be subject to forfeiture at the option of the City Commission by such means or procedure as the City Commission may determine to employ.

Sec. 4. The provisions of this Ordinance shall not be deemed a repeal of the provisions of any other existing Ordinance of the City of Phoenix, but accumulative thereto.

Sec. 5. WHEREAS, an immediate operation of this Ordinance is necessary for the protection of the public

health, peace and safety of the city, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and publication as required by law and is hereby exempt from the operation of the referendum provisions of the City Charter and of the Constitution of the state.

Passed by the Commission of the City of Phoenix this 7th day of April, 1920.

Approved this 7th day of April, 1920.

PETER CORPSTEIN,
Mayor.

Attest:

FRANK THOMAS, City Clerk.

CHAPTER XII.

STREET RAILWAYS.

ORDINANCE NO. 571.

WHEREAS, the Phoenix Railway Company of Arizona, a corporation now operating a street car line over and along Third street, between McDowell Road and Roosevelt street (formerly known as Baltimore street), in the City of Phoenix, Arizona, are willing and desirous of moving their tracks from the east side of said Third street, where they are now operating their street cars, to a position ten (10) feet west thereof, and have tendered the Common Council of the City of Phoenix a deed to that portion of the east side of said Third street now claimed by them as a private right of way; and,

WHEREAS, the owners of property abutting upon said Third street between said McDowell Road and said Roosevelt street, are desirous of having said Phoenix Railway Company of Arizona move its rails from the east side of said Third street to a position more nearly in the center of the said Third street between the points above described; and,

WHEREAS, the Common Council of the City of Phoenix believes that it will operate to the advantage of said city and said property owners to have said rails moved from the east side of said Third street to a position more nearly in the center thereof; now, therefore,

The Common Council of Phoenix do ordain as follows:

Section 1. That that certain strip of land ten (10) feet wide, on Third street, between McDowell Road and Roosevelt street, (formerly known as Baltimore street) in the City of Phoenix, County of Maricopa and State of Arizona, and more particularly described as the ten (10) feet immediately west of and abutting upon that certain strip of land lying along Third street between McDowell Road and Roosevelt street, (formerly known as Baltimore street) and being the private right of way deeded to the Phoenix Railway Company of Arizona by Lloyd B. Christy and wife, as per deed recorded in Book No. 53, pages 357-358, dated February 11, 1901, and running from said McDowell Road to said Roosevelt street (formerly known

as Baltimore street), be and the same is hereby vacated to public use, and the right of such use is hereby expressly conferred upon the Phoenix Railway Company of Arizona, a corporation, as a private right of way for the purpose of operatiing its street cars thereon and thereover.

Sec. 2. All Ordinances and parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Sec. 3. This Ordinance shall take effect and be in force from and after its passage and publication, as by law required, and the cost of such publication shall be borne by the Phoenix Railway Company of Arizona.

Passed by the Common Council of the City of Phoenix this 21st day of October, 1913.

LLOYD B. CHRISTY,
Mayor.

Attest:

FRANK THOMAS, City Recorder.

ORDINANCE NO. 581.

WHEREAS, the right of way of the Phoenix Railway Company of Arizona, a corporation, along Roosevelt street between First and Third streets does not at present lie along the center line of said Roosevelt street; and,

WHEREAS, the said Phoenix Railway Company of Arizona are willing and desirous of constructing their tracks along said center line of said Roosevelt street and have tendered the Common Council of the City of Phoenix a deed to that private right of way now claimed by them, said right of way being more fully described as follows:

That portion of that certain private right of way now vested in the Phoenix Railway Company of Arizona, by virtue of deed from Lloyd B. Christy and Mary Emma Christy, his wife, dated February 11, 1901, recorded in book 53 of Deeds, pages 357-358, lying along Roosevelt street, (formerly Baltimore street) and between First and Third streets, Phoenix, County of Maricopa, State of Arizona; and,

WHEREAS, the Common Council of the City of Phoenix believes that it will operate to the advantage of the said city and the property owners abutting thereon to accept from the Phoenix Railway Company of Arizona the deed to the right of way above described and to vacate to public use and confer the right of such use upon the said Phoenix Railway Company of Arizona a strip of land hereinafter described,

Be it ordained by the Common Council of the City of Phoenix:

Section 1. That a strip of land thirty (30) feet in width, being fifteen (15) feet on each side of the present center line of Roosevelt street, beginning on the west line of that certain private right of way of the said Phoenix Railway Company of Arizona, (and located on Third street between Roosevelt and McDowell Road); thence running in a westerly direction to the present east line of

First street, City of Phoenix, County of Maricopa, State of Arizona; be and the same is hereby vacated to public use, and the right of such use is hereby expressly conferred upon the Phoenix Railway Company of Arizona, a corporation, as a private right of way for the purpose of operating its street cars thereon and thereover.

Sec. 2. All Ordinances and parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Sec. 3. WHEREAS, an early operation of this Ordinance is necessary for the convenience and safety of the public an emergency is hereby declared and this Ordinance shall take effect from and after its passage and publication, as by law required, and the cost of such publication shall be borne by the Phoenix Railway Company of Arizona; and is hereby exempt from the operation of the referendum provision of the Charter of the City of Phoenix.

Passed by the Common Council of the City of Phoenix this 9th day of February, 1914.

LLOYD B. CHRISTY,
Mayor.

Attest:
FRANK THOMAS, City Recorder.

ORDINANCE NO. 582.

WHEREAS, The Phoenix Railway Company of Arizona, a corporation, is now possessed of and claims a certain part or parcel of a private right of way lying in the intersection of Third and Roosevelt street and so situated that proper curves from Roosevelt street to Third street cannot be maintained in the operation of its street cars and have tendered the Common Council of the City of Phoenix a deed to that portion of the said right of way they will not use in the maintenance of its tracks for the purpose of operating its street cars thereon and thereover, said right of way being more fully described as follows:

Beginning at a point 71.16 feet west of center line of Third street and on a line parallel to and 15 feet south of the center line of Roosevelt street; thence easterly on a line parallel to the center line of Roosevelt 86.16 feet to a point 15 feet east of the center line of Third street; thence northerly on a line parallel to the center line of Third street 86.16 feet; thence southerly on a concave compound curve line tangent to a line 15 feet east of and parallel to the center line of Third street composed of 10 degrees, radius 122.5 feet; 70 degrees 10′, radius 77.5 feet; 10 degrees, radius 122.5 feet to point of beginning, said curve tangent to a line 15 feet south of and parallel to center line of Roosevelt street, said described parcel designated as lot "B" on print M. W. A. 19, the above property being located in Phoenix, County of Maricopa, State of Arizona.

WHEREAS, the Common Council of the City of Phoenix believes that it will operate to the advantage of

the said city and the property owners abutting thereon to accept from the Phoenix Railway Company of Arizona the deed to the right of way above described and to vacate to public use and confer the right of such use upon the said Phoenix Railway Company of Arizona a strip of land hereinafter described.

Be it ordained by the Common Council of the City of Phoenix:

Section 1. That the land beginning at a point 71.16 feet west of the center line of Third street and on a line parallel to and 15 feet north of the center line of Roosevelt street; thence easterly on a line parallel to the center line of Roosevelt street 56.16 feet to a point 15 feet west of the center line of Third street; thence northerly on a line parallel to the center line of Third street 56.16 feet; thence southerly on a concave compound curved line tangent to a line 15 feet west of and parallel to the center line of Third street composed of 10 degrees of 92.5 feet radius; 70 degrees 10′ of 47.5 feet radius; 10 degrees of 92.5 feet radius to point of beginning, said curve tangent to a line 15 feet north of and parallel to the center line of Roosevelt street, said described parcel designated as lot "A" on print M. W. A. 19, the above property being located in Phoenix, County of Maricopa, State of Arizona, be and the same is hereby vacated to public use and the right of such use is hereby expressly conferred upon the Phoenix Railway Company of Arizona, a corporation, as a private right of way for the purpose of operating its street cars thereon and thereover.

Sec. 2. All Ordinances and parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Sec. 3. WHEREAS, an early operation of this Ordinance is necessary for the convenience and safety of the public an emergency is hereby declared and this Ordinance shall take effect from and after its passage and publication, as by law required, and the cost of such publication shall be borne by the Phoenix Railway Company of Arizona; and is hereby exempt from the operation of the referendum provision of the Charter of the City of Phoenix.

Passed by the Common Council of the City of Phoenix this 9th day of February, 1914.

LLOYD B. CHRISTY,
Mayor.

Attest:
FRANK THOMAS, City Recorder.

ORDINANCE NO. 34.

An Ordinance providing that but a single street car track shall be laid on Monroe street between First street and Second avenue, and providing that said single track shall be placed in the center of Monroe street between said points.

ORDINANCE NO. 155.

An Ordinance relating to the paving of street railroad tracks within the city and providing a lien for the cost thereof and for its enforcement against the property of street railroad companies.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. That whenever any part of any street, avenue, lane, alley, court or place within the city occupied by the track or tracks of any street railroad, and for two feet on either side thereof and if there be two or more tracks, then also the space between all said tracks shall be ordered to be paved and the cost thereof shall be assessed against the person, association, firm or corporation owning, operating or maintaining such street railway, such cost shall be a lien on such railroad, as provided by subdivision 45 of Section 2, of Chapter IV, of the Charter of the City of Phoenix.

Sec. 2. That whenever any contract be let for the paving of any street, avenue, lane, alley, court or place mentioned in Section 1, of this Ordinance, upon which any street railroad shall have and maintain any track or tracks except as hereinafter provided, such contract may provide for the paving of so much of said street, avenue, lane, alley, court or place as may be occupied by the track or tracks of said railroad and for two feet on either side thereof, and if there be two or more tracks then also the space between said tracks, or the city may in a separate contract provide for the paving of such part of any such street, avenue, lane, alley, court or place so occupied by any such railroad, and in either case the contractor doing said work shall collect the cost thereof from the person, association, firm, or corporation owning, operating or maintaining said railroad and the lien provided for in Section 1 of this Ordinance, shall inure to the benefit of and be enforceable at the suit of said contractor, his heirs, executors, administrators, successors or assigns.

Sec. 3. In case the franchise under which any street railroad has been built and maintained provides that the owner of such railroad shall at his own expense pave any part of the street occupied by the track or tracks of said railroad, then before any contract shall be let by the city for the paving of such part of such street so occupied by said railroad, the owner of said railroad shall be given by the City Manager at least ten days prior notice of the intention of the city to so pave said street including such part as may be occupied by said railroad, and thereupon it shall be the duty of said owner to notify the City Manager whether or not said owner elects to do or cause said work of paving to be done in accordance with the provisions of said franchise, and in case said owner shall elect to do or cause said paving to be so done, it shall be the duty of the said owner to proceed with reasonable diligence to do or cause said paving to be done in accordance with the provisions of the franchise.

If said owner shall not so elect, then the contract for said work may be let as provided in Section 2 hereof.

Sec. 4. If the owner of any such railroad shall fail or refuse to notify the City Manager in writing whether said owner elects to do said work or cause the same to be done within ten days after receiving the notice provided for in Section 3 of this Ordinance, such owner shall be deemed guilty of a misdemeanor and be punishable by a fine not to exceed one hundred ($100) dollars and each day's delay beyond such ten days to give such notice shall constitute a separate offense.

Passed by the Commission of the City of Phoenix this 20th day of September, 1916.

Approved this 20th day of September, 1916.

GEO. N. MacBEAN,
Vice-Chairman.

Attest:
FRANK THOMAS, City Clerk.

ORDINANCE NO. 264.

An Ordinance granting to the Phoenix Railway Company of Arizona an extension of time within which it shall comply with its franchise with respect to paving its tracks upon certain conditions named herein and further providing that in the event said conditions be not complied with by said Phoenix Railway Company of Arizona the said city by its City Manager shall pave the tracks of said railway company and conform its said tracks to grade, and further providing that the cost of said work shall be a charge against said railway company and constitute a lien against its property to be enforced by suit as fully as may be permissible by the laws of the state.

WHEREAS, the Phoenix Railway Company of Arizona is required by the terms of its franchise to pave on any and all streets that may be paved by the city, the space between the rails of its track and for the distance of two feet on both outer sides of the rails thereof with the same material used in the paving of said streets by the city and is also required to conform the grade of its said track with the established grade as furnished by the City Engineer; and,

WHEREAS, by the terms of said franchise the cost of said paving of its said tracks and the cost of conforming the grade of said track to the established grade, as aforesaid, is to be paid by said railway company; and,

WHEREAS, said railway company has failed hitherto to comply with its said obligation to pave its said tracks on streets paved by the city, and to conform its track with the established grade, as aforesaid, is to be paid by said railway company; and,

WHEREAS, said railway company has failed hitherto to comply with its said obligation to pave its said tracks on streets paved by the city, and to conform its track with the established grade; and,

WHEREAS, said railway company for the reason,

as alleged by it, that it is not financially able to pay the cost of paving said tracks with the same material used in paving by the city because of an increase in the cost of labor and material and the cost of operation and a comparative decrease of revenue derived from the operation of its railroad, has requested that the city defer taking action looking to the enforcement of its right to require the said railway company to comply with its full obligation to pave its said tracks, as aforesaid, with the same material as used in the pavement of said streets by the city.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. The Phoenix Railway Company of Arizona is hereby granted the full term of two years from the date of the passage and approval of this Ordinance within which it shall be released of its obligation under its franchise to pave its said tracks with the same material as used in the pavement of the streets by said city, but said release is granted under the express provisions that the said railway company shall in good faith comply with the following terms and conditions:

1. The said railway company shall place its track on Grand avenue in condition for operation and complete said work and operate its cars thereon not later than October 15, 1919.

2. Said railway company shall bring its tracks to grade and pave all street intersections including the street intersections on Third street from Roosevelt street to McDowell road with concrete blocks made according to specifications to be approved by the City Engineer. Said work is to be begun within thirty days from the date of the passage and approval of this Ordinance and be continued with reasonable diligence until completed.

3. Said railway company shall bring its tracks to grade and shall cover its tracks not now paved in paved districts including Third street from Roosevelt street to McDowell road with caliche six inches in depth on the outside of rails and four inches between rails and shall begin this work within thirty days from the date of the passage and approval of this Ordinance and complete the same within six months thereafter.

4. Said street railway company shall repair its Washington street track in paved districts and bring all street intersections to grade and pave the same with the same type of construction as that used for the intersections at Central avenue and Monroe street and shall begin this work within thirty days from the date of the passage and approval of this Ordinance and prosecute the same continuously thereafter with reasonable diligence until completed. In doing said repair work guard rails are to be used the full width of the intersections of all streets from Fourth street to Seventh avenue, both inclusive, with Washington street, and Second avenue with Adams street.

5. Said railway company shall repair the paving along the tracks at the intersections of First avenue and

Jefferson street and First avenue and Madison street within thirty days from the date of the passage and approval of this Ordinance.

6. Said railway company in the event other streets or portions of streets not now paved shall hereafter be paved by the city during said two years within which said railway company shall be released from its full obligation to pave as required by its franchise, as hereinbefore provided, shall pave all street intersections on all said streets or portions of streets that may be hereafter improved as aforesaid, and cover its tracks between rails and for two feet on the outer sides of said rails between intersections substantially as hereinbefore provided in paved districts where its said track is not now paved and shall conform its tracks with the established grade, which said paving and the said work of conforming its said tracks to grade shall be done with reasonable promptness as may be ordered and directed by the City Manager.

Sec. 2. The said Phoenix Railway Company of Arizona is hereby granted ten days from and after the passage and approval of this Ordinance in which to elect to accept or reject the conditions of Section 1, of this Ordinance set forth, and to notify the City Manager of such election in writing. In the event said railway company shall accept said conditions, as aforesaid, and shall thereafter in good faith comply with each and every of said conditions and requirements in said Section 1, set forth, then said railway company shall be released from its obligation to pave its said tracks as required by said franchise during the said period of two years. In the event, however, that said railway company shall not elect to accept said conditions within said time, as hereinbefore provided, or in case said railway company in the event that it shall so elect shall thereafter fail to refuse to comply in any material respect with any of the terms and conditions in said Section 1, set forth, then the extension of time herein granted shall at once terminate and be at an end, and said railway company shall at once be obligated to comply with the provisions of its franchise and to pave its said tracks with the same material as used by the city as fully and to the same extent as though no extension has been granted hereunder.

Sec. 3. In the event said Phoenix Railway Company of Arizona shall not elect, as aforesaid, to accept the conditions set forth in Section 1 hereof, within the time hereinbefore prescribed, or in case it shall elect to accept said conditions, but shall thereafter fail to carry out the said condition in any material respect as set forth in said Section 1, then in any such event, the City Manager is hereby authorized and directed to pave or cause to be paved said tracks or any portions of said tracks required by the terms of said Ordinance to be paved by said railway company as therein provided. The cost of said work that shall so be done or caused to be done by the City Manager shall be paid out of the general fund of the city, but said Phoenix Railway Company of Arizona shall, nevertheless, be obligated to pay to said city the full cost

of any such work so done and paid for by said city with interest on the sum or sums so paid for or on account of said work by said city at legal rate from the time of such payment or payments until paid. To secure said payment or payments by said railway company to said city, the city shall have a lien for the cost of said work from the time the same shall be incurred on the property of said railway company including its rights of way, tracks, rails, ties, poles, wires, electrical appliances, cars and all other property owned and used by said railway company in connection with the maintenance or operation of its railroad, which said lien shall have preference over any and all other liens against said property as fully as may be permissible by the laws of the state and shall continue until discharged by the payment of the sum or sums due from said railway company to said city, for or on account of said work, or by the sale of said property under foreclosure in any suit or suits brought by said city against said street railway company to enforce any lien herein provided for.

Sec. 4. Nothing in this Ordinance shall be construed as a waiver by the city of any of the provisions of the franchise of said Phoenix Railway Company of Arizona insofar as it grants any indulgence to said railway company with respect to its obligations to pave its railroad track or to do or perform any other thing or things with respect to said track as therein required, and is to be construed as a measure of temporary release only.

WHEREAS, it is necessary for the immediate preservation of the peace, health and safety of the city that this Ordinance take effect and become operative immediately, an emergency is hereby declared to exist and this Ordinance shall take effect and be in force from and after its passage and approval by the Mayor and its publication as provided by law for emergency measures.

Passed by the Commission of the City of Phoenix this 26th day of May, 1919.

Approved this 26th day of May, 1919.

PETER CORPSTEIN,
Mayor.

Attest:

FRANK THOMAS, City Clerk.

ORDINANCE NO. 351.

An Ordinance making the failure, neglect or refusal of any street railroad company, or owner of any street railroad, to comply with any order of the City Commission with respect to conforming its railroad track to grade, paving the same and making repairs to the same, a misdemeanor, and also making the failure, neglect or refusal of any person having the management, control and direction of such railroad, to use all reasonable effort to procure a compliance by said railroad with any such order of the City Commission, a misdemeanor, and providing for the punishment thereof.

Be it ordained by the City Commission of the City of Phoenix, as follows:

Section 1. Any corporation or person owning or operating any street railroad within the corporate limits of the City of Phoenix, under a franchise from said City of Phoenix, that fails, neglects or refuses to comply with its franchise obligation when so ordered by the City Commission, with respect to conforming the track of said railroad to grade or with respect to paving the same or with respect to keeping and maintaining its said track in good order and repair, or that shall fail, neglect or refuse to comply with any order of the City Commission with respect to any duty said corporation or person may owe to the public by virtue of its occupancy of any street or highway within the city, shall be guilty of a misdemeanor and be subject to a fine of not more than two hundred dollars for every day of such failure, neglect or refusal to comply with any such order.

Sec. 2. It is hereby made the duty of the manager or the person having the control, direction or operation of any street railroad operating within the corporate limits of the City of Phoenix, whenever any such order shall be made, as in Section 1 provided, that shall affect said railroad, to use all means within his power or control to carry out in good faith the terms of any such order, and any such manager or person who shall fail, neglect or refuse to use all such efforts in good faith to carry out the provisions of any such order effecting the railroad under his management, control or direction shall be guilty of a misdemeanor and be punished by a fine not more than two hundred dollars, or by imprisonment in the City Jail not exceeding sixty days, or by both such fine and imprisonment, and each day that such failure, neglect or refusal shall continue shall constitute a separate offense under this section. The fact that the owner of any such railroad company shall fail, neglect or refuse to obey any such order, as in Section 1 provided, shall be presumptive evidence that the manager or person having the control, direction or operation of any such railroad has violated the provisions of this section.

Sec. 3. The provisions of this Ordinance shall not be deemed a repeal of the provisions of any other existing Ordinance of the City of Phoenix, but cumulative thereto.

Passed by the City Commission of the City of Phoenix this 10th day of March, 1920.

Approved March 10th, 1920.

PETER CORPSTEIN,
Mayor.

Attest:

FRANK THOMAS, City Clerk.

SUPPLEMENT

ORDINANCE NO. 126.

An Ordinance providing for the filling of the offices of City Magistrate and City Clerk, and the performance of the duties and exercising the rights thereof, by one and the same person; making the City Clerk ex officio City Magistrate; fixing compensation; and containing repealing clause.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. That the offices of City Clerk and City Magistrate are hereby directed to be and shall be filled, and the duties thereof performed, and the rights thereof exercised, by one and the same person.

Sec. 2. That upon and from and after this Ordinance becomes in force and effect the City Clerk of the City of Phoenix shall be and become ex officio City Magistrate and as such shall have and possess full power and authority in the premises.

Sec. 3. The salary to be paid to the person filling the combined offices of City Clerk and City Magistrate, as herein provided, is hereby fixed and shall be at the rate of twenty-four hundred ($2400) dollars per year, payable in equal semi-monthly installments, one-half (½) thereof to be charged against the office of City Clerk, and one-half (½) against the office of City Magistrate.

Sec. 4. That all Ordinances and parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Passed by the Commission of the City of Phoenix, this 11th day of April, 1916.

This Ordinance was submitted to the voters of the City of Phoenix under the initiative on the 27th day of June, 1916, at a special election, and, having received a majority of all votes cast, was duly declared to have become a law.

GEORGE U. YOUNG,
Mayor.

Attest:
FRANK THOMAS, City Clerk.

ORDINANCE NO. 541.

An Ordinance amending Ordinance No. 224, entitled "An Ordinance establishing a park and playground board for the City of Phoenix," by adding thereto a provision for the appointment of a Park Superintendent and the fixing of his powers and duties and by further adding thereto a provision permitting said board to receive donations, legacies and bequests for park and playground purposes and the disposition of the same.

Be it ordained by the Commission of the City of Phoenix, as follows:

That Ordinance No. 224, entitled "An Ordinance es-

tablishing a Park and Playground Board for the City of Phoenix," be amended so as to read as follows:

Section 1. There is hereby established a Park and Playground Board for the City of Phoenix which shall consist of five members to be appointed by the Commission, each of whom shall be a resident taxpayer of the city and an elector thereof, and each of whom shall serve for two years and until his successor shall be appointed and qualify, and without compensation.

Sec. 2. It shall be the duty of said Park and Playground Board to formulate a general plan for the creation of a park and playground system for the city with a view to its future growth and development; to secure plans and estimates for work necessary to be done each year in furtherance of said system and to submit the same to the Commission for approval and appropriate action, and to perform such administrative duties as may by Ordinance be conferred upon it. Said board may make and enforce such rules and regulations appertaining to its own government and the conduct of such administrative duties as may by Ordinance be conferred upon it as it may deem necessary and proper.

Sec. 3. The office of Park Superintendent is hereby created, which officer shall be appointed by the City Manager by and with the consent of the Commission. In making such appointment the City Manager shall consider any recommendations that may be made by the Park and Playground Board relative thereto. The Park Superintendent shall be subject to removal at any time by the City Manager, provided, however, that any vacancy thus created is to be filled as hereinbefore provided. The salary of the Park Superintendent shall be as fixed by the City Commission.

Sec. 4. It shall be the duty of the Park Superintendent to supervise the care, maintenance and improvement of the parks and public playgrounds of the city under the direction of the Park and Playground Board, provided, however, that he shall not purchase any materials, hire any labor or create any other expense chargeable against the city without the approval of the City Manager. The supervision and control of the parks of the city and of all trees, grass and foliage growing in and upon any of said parks or public playgrounds of the city, heretofore vested in the Superintendent of Streets, shall hereafter vest in said Park Superintendent subject to the limitations herein prescribed.

Sec. 5. The Board of Parks and playgrounds may, for and in behalf of the City of Phoenix, receive donations, legacies or bequests for the purpose of the acquisition, improvement or maintenance of parks and playgrounds within the city which, unless otherwise provided by the terms of such donations, legacies or bequests, shall be deposited with the Treasurer of the city to the credit of the park and playground funds and be expended as may be provided by Ordinance.

Sec. 6. All Ordinances and parts of Ordinances in conflict with this Ordinance are hereby repealed.

Sec. 7. Whereas, it is, in the judgment of the Com-

mission, necessary for the immediate preservation of the best health and safety of the city that this Ordinance take effect immediately, an emergency is hereby declared to exist, and this Ordinance shall take effect from and after its passage and approval by the Mayor.

Passed by the Commission of the City of Phoenix this 16th day of November, 1921.

Approved: J. A. R. IRVINE,
Vice Chairman.

Attest:
FRANK THOMAS, City Clerk.

ORDINANCE NO. 549.

An Ordinance providing for the branding of dairy cows which have been tuberculin tested and have reacted, providing penalty, repealing sub-paragraph (1) of paragraph 4 of section 61 of Ordinance 99 of the Commission of the City of Phoenix with an emergency clause.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. No milk or cream of the standards of "Grade A Guaranteed Milk and Cream," "Grade A Inspected Milk or Cream (Raw)," "Grade B Selected Milk or Cream (Raw)," as defined by section 61 of Ordinance 99 of the Commission of the City of Phoenix, shall be brought within the corporate limits of the City of Phoenix unless the cows from which such milk or cream was produced and had been tuberculin tested in the manner as provided by said section 61 of said Ordinance 99 and have not reacted and all such cows shall be so tested annually.

Sec. 2. When any cow has been tuberculin tested in the manner as required by said section 61 of said Ordinance 99 and has reacted, such cow shall be forthwith excluded from the herd and be branded with an hot iron on the right jaw with a letter T which said letter shall be at least two inches in height.

Sec. 3. No person who fails, refuses or neglects to brand any cow which has been tuberculin tested in the manner as required by the Ordinances of the City of Phoenix, or by any statute of the State of Arizona, and which has reacted, shall be permitted to deliver milk or cream of the standards enumerated in section 1 of this Ordinance within the corporate limits of the City of Phoenix; and the permit of any person having a permit to deliver milk of said standards within the City of Phoenix who fails, refuses or neglects to so brand any such cow in the manner as required by this Ordinance shall be immediately revoked; and it shall be unlawful for any person having a permit to deliver milk within the City of Phoenix to deliver milk or cream produced by any other person from any herd which contains any cow which has been tuberculin tested and which has reacted and which has not been branded in the manner as required by this Ordinance, and the permit of any such person so delivering such milk shall be revoked.

Sec. 4. The word "person" as used in this Ordinance

shall be deemed and taken to include co-partnerships, associations and corporations.

Sec. 5. This Ordinance shall not be construed to repeal any existing Ordinance of the City of Phoenix relative to the delivery of milk or cream to consumers within the City of Phoenix, saving and excepting subparagraph (1) of paragraph 4 of section 61 of Ordinance 99 of the Commission of the City of Phoenix, which is hereby repealed, but shall be deemed to be cumulative thereto.

Sec. 6. It being necessary to the public peace health and safety of the City of Phoenix that this Ordinance become immediately operative, an emergency is hereby declared to exist and this Ordinance shall be exempted from the provisions of the referendum and shall be in full force and effect from and after its passage by the Commission, approval by the Mayor and posting and publication as by law required.

Passed by the Commission of the City of Phoenix this 7th day of December, 1921.

Approved this 7th day of December, 1921.

WILLIS H. PLUNKETT,
Mayor.

Attest:
FRANK THOMAS, City Clerk.

ORDINANCE NO. 553.

An Ordinance amending section 1 of Ordinance No. 458 entitled "an ordinance providing for the appointment of a City Planning Commission and fixing its powers and duties."

Be it ordained by the City Commission of the City of Phoenix as follows:

That section 1 of Ordinance No. 458, entitled "An Ordinance Providing for the Appointment of a City Planning Commission and Fixing its Powers and Duties," be amended so as to read as follows:

Section 1. There is hereby created a City Planning Commission to consist of one hundred representative citizens of the City of Phoenix. The City Manager, the City Attorney and the City Engineer shall be members of the Commission by virtue of their offices. The remaining members shall be appointed by the City Commission as soon as practicable after the passage of this Ordinance.

The appointed members of the Commission shall serve for six years and until their successors are duly appointed, save and except that thirty-two of the first appointed members, to be designated by the City Commission, shall serve for two years from January 1st, 1922, thirty-two of said appointed members, to be so designated, shall serve for four years from said date of January 1st, 1922, and thirty-three of said appointed members, to be so designated, shall serve for six years from said date of January 1st, 1922.

All vacancies shall be filled by the City Commission. Absence for two consecutive meetings of the City Plan-

ning Commission by any member thereof may be considered by the City Commission as creating a vacancy on said City Planning Commission and a successor may be appointed to fill such vacancy, provided such action be taken within thirty days from the date of the last absence. A change of residence from the City of Phoenix of any member shall create a vacancy on the City Planning Commission.

The members of the City Planning Commission shall serve as such without compensation.

Passed by the City Commission of the City of Phoenix this 21st day of December, 1921.

Approved. WILLIS H. PLUNKETT,
Attest: Mayor.
HELEN C. FAHEY, Deputy City Clerk.

ORDINANCE NO. 557.

An Ordinance requiring a bond from all persons excavating under a sidewalk.

Be it ordained by the Commission of the City of Phoenix, as follows:

Section 1. No person shall be permitted to excavate under any sidewalk within the City of Phoenix unless such person shall have furnished to the City of Phoenix a bond in the sum of twenty-five dollars a front foot of the frontage on the sidewalk to be excavated conditioned that such person will restore the sidewalk to its original condition on completion of the building or structure for which the excavation is to be made. Such bond shall comply with all requirements of the laws of the State of Arizona relative to surety bonds and shall be approved by the City Manager.

Sec. 2. In event of the suspension or abandonment of building operations on any building or structure in connection with which an excavation shall have been made under the sidewalk adjacent thereto for a period of thirty days such sidewalk shall thereupon be immediately restored; in default of such restoration the bond shall be forfeit to the City of Phoenix after thirty days notice by the City Inspector of Buildings to restore such sidewalk.

Sec. 3. Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than three hundred dollars or by imprisonment in the City Jail for not more than six months or by both such fine and imprisonment.

Sec. 4. It being necessary to the public peace, health and safety that proper regulations relative to excavations under sidewalks be adopted and enforced an emergency is hereby declared to exist and this Ordinance shall be exempted from the provisions of the referendum and shall be in full force and effect from and after its passage by the Commission, approval by the Mayor and posting and publication as by law required.

Passed by the Commission of the City of Phoenix this 11th day of January, 1922.

Approved this 11th day of January, 1922.

WILLIS H. PLUNKETT,
Mayor.

Attest:
GEORGE KIRKLAND, City Clerk.

ORDINANCE NO. 563.

An Ordinance amending section 2 of Ordinance No. 32 of the Commission of the City of Phoenix, entitled: "An Ordinance amending section 6 and 13 of Ordinance No. 461 of the Common Council of the City of Phoenix, passed by the Common Council and approved by the Mayor on the 5th day of May, 1910."

Be it ordained by the Commission of the City of Phoenix as follows:

Section 1. That section 2 of Ordinance No. 32 of the Commission of the City of Phoenix be, and the same is hereby amended to read as follows:

Sec. 2. Every corporation, co-partnership, association and individual, or agent thereof, placing or installing electrical wires, appliances, apparatus, construction or equipment in, on, or about any building or other structure in the City of Phoenix, shall, before a certificate of inspection, as provided for in section 10 of said Ordinance No. 461, is issued by the City Inspector of Buildings, pay to the said City Inspector of Buildings the following fees, viz:

For each permit issued	$0.75
For each outlet at which current is controlled or issued	.05
Electric signs, 660 watts or less	2.00
Each additional 660 watts or part thereof	1.00
Window, outline, border, strip and foot lights under 18 in. spacing, each	.05
For arc lamp, complete, each	.25
For each and every electric fixture	.05
Chandeliers, 3 sockets or under	.05
Each additional 3 sockets or less	.05
For each motor or generator of 1 hp. or less	.50
For each motor or generator of more than 1 hp. and not more than 5 hp	1.00
For each motor or generator of more than 5 hp. and not more than 10 hp	1.25
For each motor or generator of more than 10 hp. and not more than 15 hp	1.50
For each motor or generator of more than 15 hp. and not more than 20 hp	2.00
For each additional 10 hp. over 20 hp	.50
For each rectifier	1.25
Other current or voltage regulating devices, each	.25

All devices consuming an excess of 660 watts will take the same fee as motors of the same wattage of current consumption; provided, however, that the minimum amount of any bill of fees to be charged shall not be less than 75c for any job

where the cost of labor and material exceeds $2.00, and not less than 25c where the cost of labor and material is less than $2.00.

No person, corporation or co-partnership shall commence the placing or installation of any electrical wires, appliances, construction or equipment in or about any building, structure or premises within the City of Phoenix, unless such person, corporation or co-partnership, shall have deposited with the City Inspector of Buildings the sum of $100 in lawful money of the United States. Such sum of money shall at all times be retained by the City Inspector of Buildings as an advance payment of fees, and all fees charged against any work done by any such person, corporation or co-partnership, shall be deducted from such deposit, provided, however, that on the day before the last secular day of each calendar month, each such person, corporation or co-partnership shall pay to the said Inspector of Buildings a sum of money equal to the fees charged against him during that month.

No person, corporation or co-partnership which is in default under the provisions of this section shall be permitted to install any electrical wires, appliances, construction or equipment in or about any building, structure or premises within the City of Phoenix while so in default.

The deposit herein provided for or so much thereof as may remain in the hands of the City Inspector of Buildings, shall be returned to any person, corporation or co-partnership engaged in the business of placing or installing electrical wires, appliances, apparatus, construction or equipment whenever such person, corporation or co-partnership shall discontinue business.

Sec. 3. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Passed by the Commission of the City of Phoenix this 18th day of January, 1922.

Approved this 18th day of January, 1922.

WILLIS H. PLUNKETT,
Mayor.

Attest:
GEORGE KIRKLAND, City Clerk.

ORDINANCE NO. 580.

An Ordinance making it unlawful for any person, corporation or association to maintain any excavation under any sidewalk, street, alley, or other public grounds or places in such condition so as to preclude the use by the public with safety and reasonable convenience of any such sidewalk, street, alley, or other public ground under which said excavation be made, and fixing a penalty for the violation thereof.

Be it ordained by the Commission of the City of Phoenix as follows:

Section 1. It shall be unlawful for any person, corporation or association to maintain, or cause to be maintained, any excavation under or along any of the sidewalks, streets, alleys, or other public grounds or places

within the corporate limits of the City of Phoenix so as to preclude the use of any such sidewalk, street, alley, or other public place by the public with reasonable safety and convenience.

Sec. 2. Any person, corporation or association, or their officers, agents or employees, who shall fail, neglect or refuse within thirty (30) days after such excavation shall have been made, or in the case of excavations made at the time of the taking effect of this Ordinance, thirty (30) days from the date hereof, to conform to the requirements of Section 1 hereof shall be guilty of a misdemeanor and shall be punished by a fine of not less than twenty-five ($25.00) dollars, nor more than two hundred ($200.00) dollars, or by imprisonment in the City Jail for a period not to exceed thirty (30) days, or by both such fine and imprisonment. Each day any such person, corporation or association, or their officers, agents or employees, shall fail, neglect or refuse to comply with section 2 hereof shall constitute a separate offense and be punishable as such.

Sec. 3. Whereas, the public peace, health and safety require the enactment of an Ordinance granting the relief hereinbefore granted an emergency is hereby declared to exist and this Ordinance is made to take effect on and after its passage and the approval of the Mayor and publication as required by law.

Passed by the Commission of the City of Phoenix this first day of March, 1922.

Approved this first day of March, 1922.

WILLIS H. PLUNKETT,
Mayor.

Attest:
GEORGE KIRKLAND, City Clerk.

ORDINANCE NO. 596.

An Ordinance fixing the salaries of certain officers of the City of Phoenix.

Be it ordained by the Commission of the City of Phoenix, as follows::

Section 1. That on and after the first day of May, 1922, the salaries of the following officers of the City of Phoenix shall be as hereinafter set forth

City Manager, $6,000.00 per annum
City Engineer and Superintendent of Streets, 4,500.00 per annum
City Attorney, 3,750.00 per annum
City Health Officer and Sanitary Officer, 3,600.00 per annum
Chief of Police, 3,000.00 per annum

Sec. 2. All Ordinances and parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Passed by the Commission of the City of Phoenix, this 3rd day of May, 1922.

Approved this 3rd day of May, 1922.

L. L. HARMON,
Mayor.

Attest:
GEORGE KIRKLAND, City Clerk.

AMENDMENTS

TO

CHARTER

RESOLUTION NO. 232.

Be it Resolved by the Commission of the City of Phoenix, as follows:

That there be, and is hereby proposed an Amendment to the City Charter of the City of Phoenix, to be submitted to the qualified electors of the City of Phoenix, at the next General Election to be held in the City of Phoenix on the first Tuesday in April, 1917, as follows, to-wit:

That Section 1 of Chapter XIII of the Charter of the City of Phoenix be amended to read as follows:

Section 1. There shall be a General Municipal Election held in the City of Phoenix every year on the first Tuesday in April, beginning in the year 1915, and the manner of giving notice, and the holding and conducting of such election, the registration of voters, the counting of ballots, the canvassing of votes cast, and the method of announcing and declaring the results of such election, shall be as is or may hereafter be provided by Ordinance, subject, however, to the provisions of this Charter. The form of ballot shall be substantially as that prescribed in Chapter 12, Sections 9, 10 and 11 of this Charter.

The Mayor and Commissioners shall be the canvassing board, which shall meet on the first Tuesday after the election and canvass the votes and announce and declare the results of such election; and,

Provided further, that the first primary and general election held after the adoption of this Charter shall be held within one hundred and twenty (120) days after the official notification of its approval by the Governor has been received by the City Council, and the manner of giving notice and holding and conducting said elections, the canvassing o the votes and declaring the results, shall be as provided for in Chapter XXI of this Charter.

Passed by the Commission of the City of Phoenix this 28th day of February, 1917.

Approved this 28th day of February, 1917.

PETER CORPSTEIN,
Mayor.

Attest:

FRANK THOMAS, City Clerk.

RESOLUTION NO. 233.

Be it Resolved by the Commission of the City of Phoenix as follows:

That there be, and is hereby proposed, an Amendment to the City Charter of the City of Phoenix, to be submitted to the qualified electors of the City at the next General Election to be held in the City of Phoenix on the first Tuesday in April, 1917, as follows, to-wit:

That Section III of Chapter VIII of the Charter of the City of Phoenix, be Amended to read as follows:

There shall be at least one (1) City Magistrate appointed by the Commission, who shall be judge of the City Court. He shall hold office for a term of two (2) years, except the first term as herein provided for, or until his successor is appointed and qualified, unless sooner removed from office in the manner provided in this Charter.

Provided, however, that in event of absence, sickness, or other disability to act of the City Magistrate, the Commission may appoint, from among the officers and servants of the City of Phoenix, an acting City Magistrate, who shall perform all the functions and duties of the City Magistrate during the absence, sickness or disability to act of the City Magistrate, and such acting City Magistrate shall perform said functions and duties without further emolument other than his regular salary.

Passed by the Commission of the City of Phoenix this 28th day of February, 1917.

Approved this 28th day of February, 1917.

PETER CORPSTEIN,
Mayor.

Attest:
FRANK THOMAS, City Clerk.

TOPICAL INDEX

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